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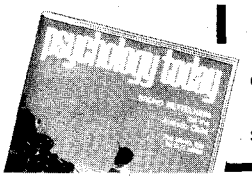

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TRB

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Something's Got to Give

You can feel it in the air, the disillusionment, the alienation, the cynicism. Things in government aren't going right; worse, there's a growing feeling that you can't do anything about it. It's like groping in the dark for a light switch that may not be there. For the first time the US frustration begins to embrace the very system itself.

Take Vietnam: the public wants out; we can't get out. We want a fair shake on taxes; we know we aren't getting it. We want better distribution of income; the gap isn't closing. We want Congress to control corporate wealth; instead, the corporations pay the congressman's bills. Everywhere in the dark we stumble into things; the economy—inflation is bad enough, unemployment is bad enough, but to get them together!

The taxi driver's wife tells him she needs more money. Why? You should see the price of vegetables and ground beef. But what's this? The headline says Agriculture Secretary Butz "hails higher meat prices." He says "they provide the best way to insure a good supply of the better cuts of beef that I prefer."

The public looks at Washington in disbelief. The ITT thing, for God's sake. The huge concern shreds the documents of its lobbyist and then looks as innocent as Little Eva ascending into heaven. Its president's salary is three times Mr. Nixon's. It runs its own foreign policy with the aid of the CIA; it finances political conventions. So what? It does no more than other multi-billion, multinational, corporations. Nothing criminal, you understand; you can't indict a smell.

Professors have been telling us about giant corporations for years, but till now few have listened. In 1950 the 100 largest corporations controlled 38 percent of total industrial assets in America; by 1965 it was 45 percent. Today? Who knows. Seven big companies got 17 percent of all corporate profits in 1956—GM, Ford, AT&T, Standard Oil of New Jersey, Texaco, Gulf Oil and IBM. Ten years later the same seven got a quarter of all profits.

Three of the biggest concerns are oil companies. The oil industry has holes in the tax laws you can drive a tanker-truck through — depletion allowance, drilling allowance, the import quota (tariff) system. The normal big oil company pays a lower tax rate than a charwoman.

People are getting fed up. That's why they voted for George Wallace. Not because of his stand on busing alone (though most competent demagogues have a sideline of bigotry). But because Wallace is vocalizing a dozen festering grievances.

Here's an illustration: a $200,000-a-year family now gets a subsidy of about $70 for every $100 of its mortgage payments; a $10,000-a-year family gets an average of $19. We run a kind of welfare system for the affluent.

The Proxmire Joint Economic Committee has just estimated that about $63 billion in federal subsidies are paid every year. Some are good, some are bad. In general the payments tilt in favor of the affluent. Why doesn't Congress equalize things?—not easy with Russell Long, senator for oil, or James Eastland, senator for farm subsidies, standing in the way. Congress is pockmarked with road blocks. We lack disciplined political parties in the Canadian or European sense.

Every poll shows that the average man wants Vietnam stopped. But bombs keep falling. Can the individual do anything? Apparently not. Leaders tell us not to worry, combat soldiers are coming back home. Isn't that fine? The bombs have a nice technical name, "protective reaction"; they are used only when the enemy has the arrogance to track our fliers over their territory.

The bombs keep falling. In Holy Week, if you take Communion, don't think about them; it's not your responsibility. Anyway, those little brown peasants aren't Christians; that slant-eyed dead baby in the ditch was probably never baptized. Take the wafer; it's all right.

Our government is busy with other important matters. For example, it is ferreting out conspiracy and just at present has a couple of informers to illustrate how efficiently it works. Robert Hardy says the FBI employed him not only as informer but as agent provocateur and encouraged him to perform a criminal act in helping to organize conspirators at Camden, New Jersey to raid the draft board file.

The FBI also has a paid stool pigeon in the Harrisburg case against Father Philip Berrigan and a couple of nuns, who were plotting to kidnap Henry Kissinger. Don't laugh! What with the ITT spectacle and the FBI the funny things are getting to be the most serious. There should be more of them, too, when Edgar Hoover gets his huge new home built on Pennsylvania Avenue right across from its parent, the Justice Department. The FBI building will be bigger than Justice.

Half a dozen books we have read lately take a rather grim view of all this: *The Party's Over* by top notch political writer David Broder; *A Populist Manifesto*, a splendid summary by Newfield and Greenfield; *America, Inc.*, Mintz and Cohen; *Uncommon Sense*, by historian J. M. Burns; *Money in Politics*, Herbert Alexander. They all discern the same disturbance and rising resentment. There is an undercurrent of fear. The public is angry, they say, and keeps asking questions.

Why is infant mortality so outrageously high in America when doctors have an average income of $40,500? Why does Mr. Nixon offer a $100 billion deficit in three years and not staunch the hemorrhage of lost tax revenues? (Mr. Nixon's happy solution is to reelect him so he can give us a national sales tax (VAT); it will have such majestic impartiality that the millionaire and the washer woman will each pay the same 6 percent sales tax for a bowl of chili con carne.)

Why is it that half the members of Congress have interests in law firms, banks and TV stations? Why doesn't the gap between rich and poor get smaller?—actually the $10,600 gap between the average income of the top fifth of the public and the bottom fifth in 1949 increased to $19,000 in 1969.

These writers express concern, I think, for the same reason. History tells us that if enough people get angry enough about enough grievances at the same time they will begin striking out and breaking things and they are not very discriminating about what they break. A competent demagogue can lead them almost anywhere.

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Criminals and Victims

Campaigning for the presidency four years ago, Richard Nixon promised the country "a new attorney general," a man who would take firm measures to reduce crime in the streets. Mr. Nixon blamed Johnson administration permissiveness for publicized increases in assaults, robberies and rapes. But the substitution of John Mitchell for Ramsey Clark did not immediately strike fear into the hearts of street criminals. The volume of violent crime continued to increase, so much so that the Justice Department's press office got embroiled in a public dispute with the FBI's statisticians over how not to report the figures.

Obviously there is more to fighting street crime than appointing a tough attorney general. Indeed, a strong case can be made that the attorney general's public image, as well as the enforcement authority he exercises under federal law, have very little to do with the incidence of street crime. Murder and mayhem are crimes under state and city laws; the federal government rarely becomes involved in their detection, or in arrest, prosecution, and punishment. So what has always been needed is a substantial revision of local law enforcement practices. The only thing an attorney general can do is lead and encourage rethinking, a process that Mr. Mitchell didn't initiate.

A special committee of the American Bar Association issued a report in March suggesting practical changes in the law that would free men and money to fight crimes worth fighting. The ABA—not noted for progressivism—had assembled a small group of lawyers, representing a broad range of views. Members included well known defense lawyers Edward Bennett Williams and Samuel Dash, prosecutors such as New York's Frank Hogan, former Assistant Attorney General Fred Vinson, law-and-order federal appeals judge Edward Tamm. The result of their year's study was a long report on urban crime that recommended abandonment of the prosecutive approach to heroin addiction and the repeal of criminal laws covering "victimless crimes." In nearly all states laws prohibit gambling, prostitution, consensual "deviant" sexual acts, possession of narcotics, public drunkenness and other forms of "nuisance" activity. Yet in all these "crimes" no participant considers himself hurt. Those who commit the acts may be arrested, prosecuted, fined and jailed. But no

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one is directly or immediately harmed by what they do, and it is plain that the laws that make such acts criminal have been passed not to protect victims (as is true of laws against assault or robbery) but, rather, as the ABA committee noted, "to codify morality in the criminal law."

Whether the criminal law should be an expression of society's moral judgment or only a pragmatic scheme to retain order has long been debated, inconclusively, by legal philosophers. In such matters as gambling, public drunkenness and prostitution, the most practical and persuasive argument is the dollars-and-cents one. Whatever time and money police, prosecutors and courts spend in chasing numbers runners, entrapping prostitutes (or their customers) and hauling away drunks becomes unavailable for tracking down robbers, rapists and murderers. The ABA report cites the FBI's 1969 statistics showing that almost one-quarter of US arrests were for public drunkenness. San Francisco spent nearly $900,000 in arresting and jailing drunks in 1969. New York City spent $229,000 to arrest and prosecute 172 gamblers in an average month in 1968. (No one went to jail, and the total fines imposed came to $5,000.) No one can tell how many muggings and burglaries might have been solved or prevented in California and New York if law enforcement were not so preoccupied with conduct which, as the ABA noted, "presents little, if any threat to society in general." The most telling portion of last year's report of the National Commission on Obscenity and Pornography was its analysis of the cost of enforcing the obscenity laws. The estimate was that the federal government spends $3 million to $5 million per year in administering federal statutes regulating obscenity, and that state law enforcement runs between $5 million and $10 million.

There is no shortage of reasons for doing away with these laws. So long as gambling and prostitution are criminally prosecuted, they lend themselves to more dangerous "satellite crimes." Blackmail, extortion and robbery breed where "deviate" sexual conduct may be criminally prosecuted. And the black market in heroin —which drives prices to the level where an addict must commit violent crimes to feed his habit—is attributable to its contraband status.

Another consequence of "overcriminalization" of victimless immoral conduct is the quality of those who are drawn to the market. Organized crime controls gambling, drugs and prostitution today because no one else is ready to assume the risks of large-scale illegal activity. Repeal of these laws and government regulation of gambling, for example, could take away the profits now earned by crime syndicates and provide a source of new revenue for government. Note the relative success of off-track betting in New York.

Not the least of the baleful effects of the present system is its demoralization of law enforcement. Payoffs to police are part of the business of gambling and prostitution, and they will continue to be so long as there is a theoretical possibility of arrest. The total amount of money that changes hands is staggering: more than $6 million a year is paid in small change and goods by Puerto Rican grocery stores in New York City to enable them to sell numbers. The average citizen's respect for law is not enhanced when he knows—as everyone does—that prostitution and gambling, though illegal, are permitted so long as the cops get their share.

It is not a sign of weakness or lack of moral fiber to recognize, as the ABA committee does, that "prostitution and gambling are as old as mankind, and prostitutes and gamblers will continue to exist as long as there is a demand for their services." Of course, only *some* prostitutes and gamblers known to the police will be arrested and prosecuted. And they, usually, are the most visible and the least able to wield influence. The black streetwalkers and corner hustlers get busted, but the high-priced call girls and the expensive gambling clubs are allowed to operate with the knowledge, if not the protection, of the police.

Discriminatory enforcement of the law is unconstitutional under a long line of judicial decisions. But the effect of those rulings on the prosecution of gamblers and prostitutes has seldom been tested. The lawyers of the right and the left on the ABA committee are now on record against "selective prosecution" in the area of victimless crimes.

Last week the Commission President Nixon had appointed to study marijuana and drug abuse reported to him its recommendation that one victimless crime, marijuana use, no longer be prohibited. The commission would change laws to allow individuals to possess marijuana and to smoke it in private. Likewise, it would be legal to give away or even to sell small amounts of grass so long as it were not done as a profit-making enterprise. In public, marijuana would be considered contraband subject to confiscation and those caught smoking, or dealing small amounts of pot, might be fined as much as one hundred dollars. The commission would continue officially to discourage smoking through efforts to limit availability of marijuana and through educational campaigns denouncing grass as potentially harmful, but it would recognize the social reality of marijuana use. The National Institute of Mental Health, which no longer considers moderate marijuana smoking a serious threat to health, estimates 20 million Americans have smoked grass. That's a substantial number of criminals. Mr. Nixon urged the National Conference on the Judiciary in Williamsburg, Va. a year ago, "to enhance respect for the law" by finding "ways to clear the courts of the endless stream of what are called 'victimless crimes' that get in the way of serious consideration of serious crimes." That is precisely what his commission is advocating when it says marijuana should be decriminalized. But Mr. Nixon said last May and reiterated last week that he would continue to oppose legalization.

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CIAid

Senator Edward Kennedy released March 19 a "sanitized summary" of the third in a series of reports he had asked the General Accounting Office to write him on the effectiveness of US humanitarian aid to Southeast Asia. The summary, "sanitized" to purge secret information contained in the full report, deals primarily with medical aid to Laos through the Agency for International Development (AID). Unavoidably it stumbles on something that has long troubled Kennedy and his staff on the Senate refugees subcommittee: the slipperiness of federal budget statistics when they have anything to do with the Indochina war. Two years ago the Senate Foreign Relations Committee held hearings that publicized AID's link with the Central Intelligence Agency; AID's director, John Hannah, publicly admitted that since 1962 his agency had subsidized CIA activities in Laos and provided a front for secret agents.

As chairman of the refugees subcommittee, Kennedy protested that AID funds were being misspent, and in May 1971 he got a letter from Hannah saying that "at the beginning of fiscal year 1972, all of the AID financing with which you have been concerned will be terminated." As the latest GAO reports shows, the government had responded to an over literal interpretation of Kennedy's protest and had left the Laos arrangement virtually unchanged. The CIA would still train its secret army in Laos; it would still work out of AID offices and rely on AID for logistical and medical support. But beginning with the new fiscal year on July 1, 1971, the CIA would reimburse AID for services rendered. Technically, AID ceased to subsidize the CIA, but in every other way it remained a front and a supplier.

The GAO report given to Kennedy, a classified document, shows how this new system works. According to *The New York Times*, the report states that the CIA has already refunded $1.3 million to AID for medical assistance during the first half of fiscal 1972, and that more than $1 million will be refunded for the second half—a total of about $2.5 million a year spent by AID on the CIA army in Laos. The conclusion is that either AID is overspending its budget to accommodate the CIA (which is unlikely), or that $2.5 million originally appropriated for humanitarian aid is being diverted to back up the CIA's army. Only the bookkeepers know how the financing is arranged.

To a State Department spokesman, the whole issue is a "non-story" because this "cost-sharing agreement" between AID and the CIA was announced almost a year ago. Furthermore, he believes that it's nearly impossible to distinguish between humanitarian and military aid in Laos where the soldier-tribesmen are accompanied by their families. In any case, what was true before Kennedy made his protest is still true. When Congress appropriates a sum for humanitarian aid in Laos ($4.9 million in 1972), about half of it ($2.5 million) goes to support the secret war. Judging from reports last week, the secret war may be coming to an end no matter what Congress does: the base of CIA operations in Laos, Long Cheng, has been abandoned by about 1000 local volunteers who were recruited to defend it against the North Vietnamese. A US spokesman in Vientiane said the situation at the base is "critical and rapidly deteriorating." If it falls, it will be the farthest south the Communists have reached in Laos.

Let Them Eat Soybeans

Agriculture Secretary Earl Butz has taken some ribbing for his elitist remark about the benefits of high meat prices, which he had said are "the best way to insure a good supply of the better cuts of beef that I prefer." Dr. Butz is nothing if not direct about what he thinks, and he is in charge of bringing in the farm vote for Mr. Nixon in November. But what of the administration's stated concern for holding down wages and prices to combat inflation? Meat prices, exempt from the price freeze, have been rising sharply since 1968 when the government curtailed imports of competitively priced lean beef from such countries as Australia and New Zealand. Since then, the retail price of choice-grade beef, by one estimate, has climbed more than 20 percent. Hamburger has gone from selling at 54 cents per pound in 1967 to about 71 cents this year—an increase of 29 percent. Congressman Charles A. Vanik (D, Ohio) says that surveys done in Cleveland show prices jumping as much as 51 percent (for sirloin) between November 1971 and January this year. Meat prices are a big component of the rising consumer price index.

Meat prices clearly have gotten out of hand. In 1971—for the first time in many years—beef sales went down, presumably because people could not afford to buy meat at prevailing prices. Indeed, the advice of the President's consumer adviser, Mrs. Virginia Knauer, is that people worried about meat prices switch to substitutes such as simulated meats made from soybeans. And C. Jackson Grayson, Jr., the chairman of the President's price commission, who has attacked Butz's remark as "damaging to the stabilization program," advocates that consumers buy less meat. A Washington supermarket chain, oddly, recommended that economy-minded shoppers buy chicken instead of beef. Some poor people, it is claimed, have been reduced to eating dog food.

Benjamin Rosenthal, the consumer-oriented New York congressman, held two days of unofficial hearings in March to get at the causes and effects of rising meat prices. Most of the testimony blamed the quotas informally placed on imports under authority given

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the President by the Meat Quota Law of 1964. Congressman Vanik, among others, has proposed this "anticonsumer legislation" be repealed.

Americans are large consumers of meat. Their preference is for beef (114 pounds per person per year). And there is great demand for tender corn-fed American beef. The meat that is imported is, for the most part, lean grain-fed beef which is of good quality but rather tough. Lean Australian beef sometimes is combined with fat from American cattle to make hamburger, frankfurters and other relatively cheap processed meats that are mainstays of the poor. Increasing imports tends to decrease prices. The Nixon administration is increasing permissible imports by seven percent this year but as Dr. Butz told a meeting of the Texas and Southwest Cattle Raisers Association "it's so small an increase in total beef supplies that it shouldn't even cause a flutter in the market." (Total imports will be limited to 1.24 billion pounds.)

Bess Myerson, the commissioner of the Department of Consumer Affairs in New York, testified to Rosenthal's Democratic Study Group committee that the import restraints have the "greatest inflationary effect" on cheap cuts of meat relied on for protein by the elderly, welfare recipients, and families with incomes of less than $3000 a year. "A national policy which, in effect, says to a substantial portion of our population that they can no longer eat meat, is preposterous." She said that higher prices for lean meat might tend to encourage adulterating ground meat with excessive fat and other additives. She'd either remove quota limitations on imports or impose price controls.

As with individual consumers, restaurants spend about 25 percent of every food dollar on meat. The National Restaurant Association opposes the quotas on the grounds that high meat costs are pricing restaurants out of the market; people are eating at home instead. Even budget hamburger chains like Burger King (which plans to buy 80 million pounds of hamburger this year) are threatened. They say they cannot raise their own prices without losing customers but can't make decent profits when they must pay so much for the meat they use.

The final irony is that protectionism does not seem to protect the cattlemen. Rep. James Abourezk (D, SD) testified that although retail meat prices have doubled, livestock prices paid to farmers have been roughly stable since the 1950s, and when livestock prices decline the savings seldom are passed to consumers. The consumer, he says, is being pitted against the farmer while the real profiteers are the middlemen: the wholesalers, transporters, processors and retailers. Farm state congressman Joe Skubitz (R, Kansas) agreed that "the increased cost in meat at retail—that tremendous spread in price between what is paid the grower on the farm and what the housewife pays at the butcher counter—has gone to the middlemen."

Herbert Stein, the Chairman of the President's Council of Economic Advisers has said he expects further increases in meat prices and that he doubts controls will be imposed. Earl Butz likes his meat prices high, and President Nixon who has the authority to suspend the import quotas has given no indication that that is a prospect. As a representative of Consumers Union puts it: "The executive branch has decided that quantities should be limited and in effect, that [meat] prices should be high." It's a strange quirk in the fight against inflation.

On to Wisconsin

Humphrey's Chance to Pull Ahead

Milwaukee

If the "them" Gov. Wallace wanted to send a message to from Florida was his field of Democratic opponents, he can rest assured his registered letter has been signed for by each of them. It's made him the focal point of all the early maneuvering for position in this state where the next round of the 1972 elimination matches takes place on April 4.

It's clear the bulk of the losers in Florida understand one thing—a lot of voters in that state perceived them as part of the problem rather than the solution. They'd rather it didn't happen again in Wisconsin. However, the reaction seems so uniform—everyone's hitting tax reform with an accent on property taxes, for instance—it may only add to the confusion rather than enable voters who don't identify with a special group—students, labor, farmers, suburbanites—to pick the candidate who voices their concerns most eloquently.

Going into the final week of the campaign, several general observations can be made. First, much of the electorate is undecided, awaiting further word from the candidates. In fact, the canvasses and telephone polls show that bloc has been growing, largely because of a steady falling off of Muskie support. Secondly, Humphrey has the only really visible momentum and it's generally agreed he's moved into the front-runner role here. Finally, the candidate in a position to move up and challenge Humphrey and Muskie appears to be McGovern, largely because of a superb organization and the deep commitment of his backers.

Two things must be said about Humphrey's campaign here. First, he's going about it with boundless energy. On a recent day, he rose in Eau Claire in rural western Wisconsin, about 5 a.m. At 6:15, flanked by

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the officers of a Rubber Workers local with 2500 members, he was shaking hands at a plant gate. Then he went on a breakfast show at eight, to a press conference for the "rural press' at 9:30, out to address a parochial high school where he vouched for his support of their kind of education, to a luncheon with Farmers Union leaders at which he spoke, to a large meeting put together by the National Farmers Organization and then off to his chartered plane. By 3 p.m., we were airborne for Milwaukee. Once there, he hurried off to TV interviews for a couple of hours. After a brief rest, he was off to an 8 p.m. speaking engagement on the North Side (the black community), where he held an audience of all ages for 45 minutes before going to a reception. After some night club hopping he finally arrived back at the hotel around 1 a.m. His schedule the next day was equally grueling; it ran six pages.

Just as important is the reception he gets. Everywhere, there are those in the audience—be it union leaders, farmers or blacks—who go back 10, 15, 20 years with him. At Eau Claire, there was a lot of chatter about the days when he was "the third senator from Wisconsin," when Wisconsin was represented by two GOP senators and Humphrey kept a separate Wisconsin desk in his Washington office. A lot of people who contacted the desk in those days long ago showed up to embrace him.

If one can boil his message to every group down to a few words, it's this: You need a friend. You don't have one in the White House now but I'm your friend and you know it because I've been tested over the years. He recites his record—on farm, labor, civil rights issues. He's clearly rebuilding a farm-labor-minority coalition of the old style in this state. His inroads are hurting all the other candidates among these groups, as illustrated by the observations of some Farmers Union leaders. To a man, they reported a lot of early commitments to McGovern and Muskie "because people didn't think Humphrey was going to run." Now that he's in the race and running hard, they're quietly coming back to him.

His response to Wallace is largely in the field of tax reform (he's co-sponsoring tax-reform bills offered by two leading Wisconsin Democrats—Sen. Gaylord Nelson and Rep. Henry Reuss). He concentrates on the property tax, promising to relieve it by federalizing welfare and upping the federal share of the cost of education from 7 to 33 percent. But he also throws in a bit of "populist" rhetoric with a dramatic little digression on the evils of "international" bankers.

Only a matter of weeks ago, Muskie was in good shape in Wisconsin. He had bushels of endorsements from key party figures, labor leaders, farm leaders. He had a positive image with the voters and the prospect of a big win in Wisconsin. Today, his image has been tarnished—by the street-corner scene in New Hampshire, by his post-election attack on Wallace (it was ad-libbed), and by his poor showing in Florida and McGovern's strong bid in New Hampshire. He had a good showing in Illinois (63 percent of the vote and 59 delegates) but his campaign is in trouble in Wisconsin. Muskie's managers know it. Every available hand is being sent to Wisconsin. A good deal depends on the candidate. If he can't match Humphrey's energy (the day Humphrey campaigned his way across the state from Milwaukee to LaCrosse, Muskie came in for only one brief stop in Milwaukee's Polish settlement on the South Side) or McGovern's organization, he'll have to find another way to reach voters.

Until recently, Muskie had a broad coalition put together on the theme that he was a "winner in November"; however, the voters around the country haven't been showing the same degree of enthusiasm for the theory as their leaders. How to convince them? Muskie plans to take a stronger stance on issues, directing his attention to "some very real fears and frustrations that the American people feel—to the sense that we are being pushed around by government and big business . . . that we have somehow lost control over our lives." To this end, he pledged to close $14 billion in tax loopholes, guaranteed paychecks instead of unemployment checks, promised to prevent the 200 largest corporations from expanding any further, and said he would impose a moratorium on the spread of nonfarm interests into farming. It was tougher but lacked drama.

Muskie has reason to show special concern about Wallace. In 1964, Wallace ran a strong race among south

Shakedown Cruise

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Milwaukee's Polish voters and there's still an active core of Wallace workers there. There are reports that Muskie may have even more trouble in this area (the 4th district) with Humphrey, who has strong union backing. And McGovern is making an appeal too.

McGovern's problem remains the same—how to break out of the bounds set by his campus and peace activist following into the mainstream of Democratic voters in Wisconsin. He's been trying. Recently, he staged a press conference at the home of a Polish worker in south Milwaukee, a man making $7000 per year who can no longer handle the property taxes on his home. It was a good way to dramatize his tax reform proposals, which are beginning to draw favorable comments from the working class voters; however, the press took the bite out of it by playing up an answer he gave to a question on amnesty. Few voters outside of South Dakota know of McGovern's long record in behalf of family farmers, for instance. It would help in places if they did.

McGovern will match Humphrey's energy and sincerity in the fight for the big bloc of uncommitted voters in the weeks ahead but so will Jackson and, in all probability, Lindsay.

On the other hand, Wallace's plans are more restricted if one can believe the few reports available to the press as the campaign got underway in earnest. He still has a hard core of supporters and his plan was said to be to hold the same kind of mass rallies around the state which made the depth of his support so evident in Florida and, no doubt, gave momentum to his campaign. Will it work in Wisconsin? No one's quite certain; however, there's a general feeling he won't come close to the 34 percent he received in the 1964 Wisconsin primary when his showing stunned the Democratic leadership. He ran well in the heavily Republican (and conservative) Milwaukee suburbs, on South Side and in the Green Bay area. This year, early polls show him trailing most of the field, leading one to believe Wallace would be wise to skip Wisconsin and go right to Michigan and Maryland where his prospects look much better. Busing hasn't been that much of an issue in Wisconsin and President Nixon probably has defused what there was of it.

Beyond that, the leadership of organized labor is in closer communion with its membership and the rank-and-file know the record of candidates like Humphrey on issues important to them. It will be more difficult to spark a revolt under those circumstances. In fact, Wallace may find his support reduced to the open racists and what conservative Republicans will cross over.

Nevertheless, no one's taking a chance. Without exception, the candidates are dealing with Wallace in their speeches, both by trying to identify themselves with the frustrations and fears of the voters while offering some solutions and by exposing Wallace's record as governor of Alabama. Muskie says "George Wallace is not for the little man. His entire record as governor of Alabama proves he's a champion of special interests. Machinists and waitresses in Alabama pay twice as high a percentage of their income in taxes as big business. Right now George Wallace is fighting to cut taxes on 21 million acres of timberland owned by big out-of-state interests. *Look* magazine summed it up in 1968: 'In no other states in the union is the tax structure so rigged against the urban working man' as in George Wallace's Alabama. Is that what Wisconsin wants?"

There probably will be more than one winner in Wisconsin even if one of the candidates—Humphrey, for instance—puts some distance between himself and the opposition. More than one because delegates are named by congressional districts. McGovern is expected to hold the 2nd (Madison) and Muskie the 4th (south Milwaukee). Humphrey is making a strong bid for the 3rd and 7th (in western Wisconsin, along the Minnesota border), the 5th (Milwaukee, including the black community, which has 18 percent of the vote in that district) and the 1st (industrial Racine and Kenosha plus some farm country), but Muskie and McGovern are fighting back in most of them. The 6th and 8th (conservative, Catholic country around Green Bay) are real battlegrounds and the 9th (suburban Milwaukee) could go any of several ways.

It's in the suburban 9th that Lindsay's camp is making its best effort, hoping to combine some student support with a good response from housewives. Unlike the rest of the field, Lindsay continues to dramatize urban issues, such as a proposed freeway that will cut through several neighborhoods in Milwaukee. He has helped opponents play up the issue by appearing at anti-freeway rallies. Still, the Lindsay outlook, once considered bright in Wisconsin, is now considered as "bleak" by persons in his own camp. He could be one of the dropouts after April 4.

In contrast, it's difficult to measure Jackson's support. He's working hard and picked up important support from dairy farmers, but the combination that put him in third place in Florida may not be there in Wisconsin.

Going into the final week of the campaign, interest among the voters is beginning to pick up; however, there's another factor at work among the electorate: a lot of voters are inclined to think there isn't a November winner in the lot, that Nixon is going to be re-elected anyway so why get overly excited. You hear it on all sides once you get away from the campaign headquarters. There's a real question whether any of the 12 Democrats listed on the Wisconsin ballot April 4 will be able to put together the kind of coalition that will be needed to unite the Democratic party in November.

Paul R. Wieck

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The Nixon Watch

There Goes the Bus

The first thing to be said about Mr. Nixon's latest statements and proposals on the subject of school busing is that the busing he says he opposes—"busing for the purpose of achieving racial balance in our schools" and "massive busing to achieve racial balance"—does not exist. The busing that the President opposes and undertakes to halt has been ordered by federal agencies and by the courts for the purpose of desegregating racially segregated public schools. In its several possible meanings, none of which has ever been identified by Mr. Nixon as the one he has in mind, "racial balance" may describe any one of a variety of school and classroom conditions that officials and judges have deemed it necessary to bring about in order to accomplish desegregation. But racial balance in itself is not and never has been the purpose of federally required busing and desegregation. A Nixon official who knows that this is true, and who therefore must perceive that the President's habitual characterization of the busing issue is seriously misleading, is Elliot Richardson, the Secretary of Health, Education, and Welfare. At a White House briefing for the press on March 17, after Mr. Nixon had equated busing with racial balance four times in a 12-minute speech over national television and had submitted a busing message and two pieces of anti-busing legislation to Congress, a reporter put the following statement and question to Secretary Richardson: "You know of no decision by a court that has ordered busing for the purpose of achieving racial balance. Is that correct?" With a look of acute discomfort, Richardson answered, "Yes, that is correct."

Mr. Nixon and his sensitive assistants are in no position to claim that the point just made is a picayune and irrelevant play upon semantics. "In short," the President said in his busing message to Congress, "this is not the simple black-white issue that some simplistically present it as being." Indeed it isn't, and I herewith acknowledge that I am among the writers on the subject who have found it easier to ignore than to deal with the human and other complexities of busing that the President addressed and twisted to his own purposes in his speech and message. The busing problem is real, it is national in scope, and there is a good though certainly debatable case to be made for the solutions that the President proposed, once he rid himself of the cheap simplicities that marred his television speech. There could be no better illustration of the importance of the terms in which public figures and others define the busing issue, incidentally, than the event that caused Mr. Nixon to change his original plan to let his message speak for itself and decide, instead, to precede the message with a prime-time television appearance. The event was the referendum that accompanied the Florida primary on March 14. Floridians voted 74 percent against compulsory busing and 79 percent for desegregated (or "equal opportunity") public education. Only voters conditioned to the false distinction between busing and desegregation, by such masters of simplistic deception as Richard Nixon and George C. Wallace, could have committed so complete a contradiction. It is clear from the known sequence of intentions at the White House that the Florida vote against compulsory busing presented the President with an irresistible temptation to exploit what he called "the highlights of the new approach I propose" for political purposes.

The approach set forth in the message and draft legislation can be properly evaluated and understood only if two assumptions that underlie it and that Mr. Nixon elided to the point of concealment are understood. The first assumption is that the process of legally required desegregation has been taken about as far as it practicably can be taken, both in the previously and overtly segregated South and in the urban North. The second assumption is that, regardless of whether the first one is altogether justified, American society as a whole has had all of the required school desegregation that it is willing and prepared to tolerate for a while. Three specific and central Nixon proposals flow from these assumptions. The President asks Congress to enact a temporary ban upon all federal court orders for further busing. He asks that it permanently prohibit the further busing of children in the sixth grade and below, and allow the further busing of students in higher grades only when all other means of desegregation have been tested and found insufficient. He proposes that some $2 billion of federal money, from funds already authorized or requested, be concentrated annually upon improving the education delivered to disadvantaged pupils in schools that in his judgment could be desegregated only by extensive and (he assumes) intolerable busing. He makes other proposals, but the cited three comprise the core of his program.

The limitations that the President recommends are confined to "more busing" and "excessive busing." His package is cloaked in professions of dedication to continued desegregation; to "equal opportunity in education"; and to protection of related constitutional rights. But the series of White House briefing sessions that followed his speech and message removed any doubt I might have had that the President is in fact calling for a temporary halt to all effective school desegregation and for a permanent slowdown in every form of school desegregation. Mr. Nixon has never spoken or acted as if he believed that positive racial integration, in the schools and elsewhere, is a practical or desirable or imperative social and moral goal. Perhaps this being so, it is idle to say that the President has abandoned any pretense to the contrary and has

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asked Congress and the nation to abandon it with him. But that is what has happened; that is what the President signaled with his busing message and legislation.

Secretary Richardson and others in a galaxy of White House briefers said, as the President did, that factual evidence supports the key proposition that a concentration of money and talent upon improving the education of isolated minority children will actually raise their levels of learning and performance. Inquiries at HEW indicated that this is true, but only marginally and debatably true. One of the shocking sleepers in the whole desegregation situation is the paucity of productive studies and believable data. Official, contract and academic students of desegregation and its corollaries are still gnawing at the carcass of the famous Coleman report, based in 1966 upon a study conducted in 1965 by Professor James Coleman and several associates. It remains the only comprehensive study, on a national scale, of segregation and desegregation and their consequences, social and educational. The proof that well-managed and well-financed compensatory effort has raised learning levels in some instances and may do it in others – the last is all that is really claimed – is thin and hasn't been adequately updated since 1969. After a decade of progressively effective desegregation in the South, HEW and its Office of Education have practically no solid evidence that desegregation as such does or does not raise the learning levels of minority children. The official conclusion, based on pathetically insufficient data, is that desegregation tends to bring "slightly positive educational change." HEW contractors are at work on two national studies that may remedy some of the lack, but one of them won't produce results for another two years and work on the other has been slow.

It has been agreed here that Mr. Nixon didn't manufacture the busing problem. It must also be said, however, that his high-level briefers raised some questions as to whether the problem is as crucial and widespread as he says it is. Secretary Richardson, for instance, was asked whether a proposal to let southern and other school districts now under court and administrative busing orders reopen their cases if the standards set by Congress turn out to be milder than those presently imposed wouldn't undo much of the accomplished desegregation. No, he answered, because HEW and the courts have required much less busing than is generally supposed. The briefers were asked how many court decisions will be held in abeyance if the Nixon moratorium is voted. Richmond, Denver and Detroit, where drastic orders are in prospect or on appeal, were mentioned. Edward L. Morgan, a White House lawyer, said that in addition he could think of cases in Columbus, Augusta and Savannah, Ga.; Winston-Salem, NC; San Francisco; Tampa; and "a couple more." After Mr. Nixon's talk of a country "torn apart," answers of this kind had a rather troubling sound.

John Osborne

The Sham of Instant Equality

Improving Schools

When I was chairman of a New York City local school board a few years ago, our district had a busing project that brought children in the lower grades from their East Harlem homes to the greater achievements of Yorkville. It was a small, complicated project, involving joint PTAs for the sending and receiving schools, new academic programs to short-circuit teachers' beliefs about what children should be able to do at this level, a little rigging of the test scores reported to the teachers, etc. The project did some good – not much, but some – and except for a handful of sophisticated Puerto Rican parents who hated to see the best black pupils go out of their schools (the Puerto Ricans wouldn't bus) it was popular in East Harlem. Nevertheless, after one board meeting I was approached by a politically oriented caucus, not so much angry as nasty, demanding an end to asymmetry. Fortunately, they phrased their position in a way that invited a snappy answer: "Why," they demanded, "is it always *our* children that ride the bus?" I said, "because they're disadvantaged. One of their disadvantages is that they ride the bus." I report as a matter of fact that in my remaining two years as a local board chairman neither the argument nor the demand was heard again. Truth hurts; but it answers real questions.

The case for busing children to schools that their parents and the world at large believe to be better schools is an overwhelmingly strong case. The case for busing children to schools that their parents and the world at large believe to be poorer schools is an extremely weak case. There is some reason to believe, on the basis of the Coleman Report, that the children of low-income, ill-educated parents will on the average do somewhat better in school if they are exposed to the more invigorating air of classrooms dominated by the children of higher-income, better-educated parents. The same report gives evidence (much less frequently cited) that children from more fortunate homes will on the average do worse in school if they are a minority group in classrooms where the air is that of the slums.

Justice Holmes once observed that the reward of military rank is not a bigger tent, but command. The rewards of a better income and better education are a wider range of options. Even elected legislatures cannot change this fundament of social existence – and do not try, because in the process of writing law legislators typically look forward to the probable effects of what they do. The notion that courts can write such laws and make them stick should not be entertained for a minute by anyone seriously interested in improving society. Judges have neither the resources nor

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the habits of mind to predict intelligently the results of their decisions; they are hired and trained to look backward, toward the facts of a given case. Whether they are sentencing convicted felons or assessing damages for liability, their capacity to find proper remedies is notoriously slight. And even the most book-bound lawyer cannot really believe, if he thinks about it, that a society is defenseless against its courts.

A recent issue of the OEO magazine *Opportunity* featured an article on the legal service office that fought and won the case of *Serrano v. Priest*, which held that the financing of schools by local property taxes was unconstitutional because it deprived residents of poorer districts of equal educational opportunities. The lawyer in charge of the case speculated that it might turn the whole country around—if parents could not hope that by working hard and making money and moving to the suburbs they could do something special for the future of their children, then they might stay in the cities and stop being racists. But the difference between successful and unsuccessful schools is not usually money—in fact, the equalization of educational expenditures throughout New York State would *reduce* the per-pupil budget in New York City. And even if *Serrano v. Priest* were responsive to the real problems, the idea that so fundamental a drive as the desire to give one's children a better break can be frustrated by a court decision—or, indeed, *should* be frustrated in a healthy society—is ultimately not only preposterous but (if I may say so without offense) childish.

We have lived through an extraordinarily dispiriting decade in education. A great deal that in the Kennedy days we had believed could be done quickly now seems long, dreary years away. The failure of university administrations to think through the nature and extent of their resources has loaded higher education with a burden of transparent fakery that has made at least secret Jensenists of most faculty and of more students than anybody cares to admit. Of the remedies proposed in the early 1960s, only two remain plausible: full-time institutional control of students from educationally hostile neighborhoods (*i.e.*, boarding school; or, in later life, the army: Project 100,000, little noticed, has educated more dropouts than all the school systems put together); and tutorial assistance (by nonprofessionals, paraprofessionals or older students: each-one-teach-one produces better measurable results than group instruction in the hands of any but the best teachers).

The educational impact of Head Start has been invisible; the educational impact of community control, bilingualism and race pride, has been fairly consistently negative; the educational impact of integration has been fairly consistently positive, but minor. Even in the best integrated situations, the difference in academic achievement between the middle-class white eighth-grader and the black welfare eighth-grader is likely to be three years, and such gaps cannot be concealed. The brief period in which blacks felt themselves honestly equal to whites is coming to an end all over the country, in self-resegregation and despair, largely because of the stress placed on education. The horror is perceived by radicals, who seek to exorcise it by abandoning schools altogether. The educators themselves, reviving their Uriah Heep attitudes of 20 years ago, ask again whether it's really so important that *all* children learn to read.

Much of this seems to me genuinely tragic. There is no reason to believe that we cannot, in segregated or integrated situations, bring much more of the low-income population to a level of reasonable competence in reading—if we remember that competence is our target. And there is every reason to believe that the slum child who does not go to school, or does not have demands made upon him there, will be doomed to a disastrous life in this or any other society. It is the tone of the school, not the simple physical presence of middle-class children, that must be credited with the gains Coleman found from integration. Since the late 1960s, we have been sacrificing that tone everywhere, with appalling results.

We need ways to keep schools from dominating the future chances of students (I would like to see a return of professional licensing through apprenticeship, and a law requiring large businesses to hold, say, ten percent of the places in management training programs for applicants who never went to college). We need tests that measure more aspects of human ability than are now measured by our intelligence, aptitude and achievement tests. On the social front, we need ways to insure that middle-class blacks get the rewards of having made it, and we need maximum feasible opportunity for upward mobility in occupation, residence and education.

But the best that can be given is opportunity; the burden will continue to rest on the Negro community, because there is no way to transfer it. Governments cannot legislate and courts cannot mandate results. It may well be, as I had occasion to observe a decade ago, that the benefits of major educational effort can be gathered only by the children of those who participate in the effort; even so, the effort is worth making. The lawsuits and committee reports and books calling for instant equality must be seen for what they are: attempts to avoid making the effort. To the extent that they also seek to punish society for not doing what cannot be done even with effort—and there is a great deal of purely punitive purpose behind much of what the activist lawyers are attempting—they will be fearfully counterproductive. They already are.

Martin Mayer

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The Wisdom of Hindsight

Clark Clifford

by Richard J. Powers

Clark M. Clifford is notable, among other things, for the extremely favorable press he has had as an advisor to Presidents and a former secretary of defense. He has been lauded as an architect of the Marshall Plan and Point Four, the strategist in Truman's surprise election victory in 1948, the man who prevailed upon big steel to accept the price restraint demanded by President Kennedy, and a major force in persuading Lyndon Johnson to alter his conduct of the Vietnam war. Clifford's advice—which is to say his judgment—is valued by some of the leading Democratic contenders for the presidency. He is consulted on foreign affairs by Senator Muskie, and it is not unlikely that Clifford will again be summoned to public service. A biographer of Clifford, Patrick Anderson, wrote that "Humphrey, had he been elected, intended to make Clifford Secretary of State, which is presumably the post Clifford would prize most—and might covet—in a Muskie Administration." At a National Press Club luncheon in September 1968, Clifford expressed his willingness to serve the successor administration to President Johnson's. He is attracted to the higher councils of state.

Any inquiry into Clifford's performance in the formulation and execution of foreign policy must go back to his part in the Truman administration, not only because this was the beginning, but because the impressions gained then and Clifford's evaluation of the consequences of Truman's policies still bear heavily on his contemporary image of the world.

Appointed special counsel to the President on June 27, 1946, a post that on Judge Rosenman's departure that February, Truman said would remain unfilled, Clifford's first major assignment was to prepare a summary of American-Soviet relations. An exhaustive and until recently, highly classified report, which ran to nearly 100,000 words was presented to the President on September 24, 1946. The chapter titles are suggestive of its scope: Soviet Foreign Policy; Soviet American Agreements, 1942-1946; Violations of Soviet Agreements with the United States; Conflicting Views on Reparations; Soviet Activities Affecting American Security; and United States Policy Toward the Soviet Union. This is not the place to discuss his report in detail; I have done so elsewhere (*International Studies Quarterly*, December 1971) and the full text is included as an appendix to Arthur Krock's *Memoirs*. The main thrust of the analysis was that the Russians posed a mortal threat to the continued existence of the non-Communist world, and that it befell the United States to meet and effectively counter this challenge.

In Clifford's view the Soviet Union had expansive and aggressive designs on vast areas of surrounding non-Soviet territory and to achieve its ends might be prepared to fight at any time. Experience had shown him that the Russians had not honored their treaty commitments with the West and could not be expected to do so in the future. Clifford's expectations of Soviet duplicity, aggression and future belligerency rested primarily on his belief that, "[The] ability to wage aggressive warfare in any area of the world is the ultimate goal of Soviet military policy."

Given this view, what did Clifford recommend? He made several specific suggestions, all predicated on the notion that "the language of military power is the only language" that the Russians could understand and, accordingly, the "main deterrent to Soviet attack on the United States, or to attack on areas of the world which are vital to our security, will be the military power of this country." In particular Clifford urged American preparation to wage atomic and biological warfare, unification of the services, universal military training and active propagandizing within the Soviet Union. He cautioned against entertaining any proposals for arms control or disarmament and the premature disclosure of war-related scientific and technological information.

"In addition to maintaining our own strength," he wrote, "the United States should support and assist all democratic countries which are in any way menaced or endangered by the USSR." This, of course, was the message of the doctrine enunciated March 12, 1947 by President Truman. "In conclusion," Clifford said, "as long as the Soviet Government adheres to its present policy, the United States should maintain military forces powerful enough to restrain the Soviet Union and to confine Soviet influence to its present area." Here was the prescription for containment which underlay American foreign policy for the last 25 years. As advocated by Clifford and as practiced, containment implied an extension of US vital interests all over the world; any Communist gain must be gauged an American loss.

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Two objections may be raised at this point; they are best met directly. First, it may be argued that the long telegram sent by George F. Kennan in February 1946 from his post in the American embassy in Moscow to the Department of State, and given wide circulation in the government, not only antedated Clifford's report but set the pattern for containment. Clifford indeed drew upon Kennan's analysis. But where Kennan saw the primary threat as political, Clifford viewed it as military. Kennan, correctly reading Marxist dogma, discerned Communism's expectation that capitalism will crumble under the weight of its own inherent contradictions; Clifford chose to present Marxism as prescribing the physical destruction of capitalist states by Communist states. Thus, Clifford urged the development of biological and atomic weapons; Kennan, on the other hand, urged efforts toward disarmament, resisted the extensive development and deployment of nuclear weapons and argued, unlike Clifford, against the principal assessment of an adversary on the basis of his capabilities. Kennan put less faith in alliances than Clifford and, perhaps most importantly, Kennan objected in 1947 (and today) to the global, open-ended commitment of the Truman doctrine – the signal manifestation of containment. Furthermore, Kennan took exception to the specific aid programs to Greece and Turkey – programs recommended by Clifford – and to the language and flourish of Truman's address. Biographer Patrick Anderson states that Clifford drafted Truman's message, and Arthur Krock has credited Clifford with the genesis of the Truman doctrine.

The second objection to singling out Clifford, as Anderson observed, is that "it would be unwise to place too much emphasis upon the impact of one document in moving Truman toward the Cold War policies he so resolutely followed." Yet Anderson acknowledged that Clifford's report was an accurate reflection of the state of mind of the government in 1946. More demonstrable, perhaps, is the fact that Clifford's major recommendations (all except universal military training which encountered firm domestic resistance) were shortly implemented: work advanced on chemical, biological and nuclear weapons; the armed services were unified under the Department of Defense; the Rio Pact, which had lain dormant for two years, was speedily negotiated, signed and ratified; and in his address to Congress, Truman pledged American support for the "free peoples" of the world threatened by Communist subjugation – all in 1947. All this and the continued efforts through five administrations to contain Communism militarily suggest not only the impact of Clifford's analysis, but its long-range effects. Finally, Clifford's analysis is of interest today because, in Anderson's words: "Clifford's view of international relations was formed in 1946, and there were many echoes of the hard-line advice he gave Harry Truman then in the advice he was giving Lyndon Johnson 22 years later when he became Secretary of Defense."

Clifford was appointed secretary of defense on January 19, 1968, to the accompaniment of generally favorable reaction. Yet Clifford, quite correctly, was widely regarded as a hard-liner on Vietnam. With the single exception of a meeting on July 25, 1965, where Clifford, while serving as chairman of the President's Foreign Intelligence Advisory Board, expressed doubt about eventual success in Vietnam, there is no recorded evidence that prior to his appointment as secretary of defense he did anything but approve the steady build-up of the US military effort in Vietnam. At a follow-up meeting of the National Security Council on July 27, 1965, to which Clifford was invited, he approved increasing the American military commitment, as did the other members and invitees.

Clifford explicitly opposed the 37-day bombing pause in December 1965 and January 1966. The initiator of this brief but complete bombing halt was Robert McNamara, Clifford's predecessor as defense secretary. Strong support for McNamara's proposal came from Under Secretary of State George Ball. As the *Pentagon Papers* show, Ball first expressed his reservations in November 1964, before, that is, the introduction of US combat troops or the start of sustained bombardment of North Vietnam; and in the spring and summer of 1965, after escalation was underway, Ball urged, in a memorandum to the President, that the US "cut its losses" and withdraw from Vietnam. Clifford, however, having paused a moment, became convinced that military victory could be achieved.

In late July and early August 1967, Clifford and General Maxwell Taylor undertook for President Johnson a two-week tour of Southeast Asia, visiting Thailand, South Korea, New Zealand and Australia in addition to South Vietnam. The exact impression that Clifford received from his talks with the leaders of these countries has been variously interpreted, but we have Clifford's own statement that he returned "puzzled, troubled, concerned." His support for the war, however, remained firm, and he later wrote that although doubt had entered his mind, he still regarded himself as "a staunch supporter of our policies."

Three months later, in November, Clifford was asked by President Johnson for his views on a McNamara proposal calling for a new bombing pause, no further increase in US force levels, and an expanded role for the South Vietnamese military. Clifford emphatically opposed McNamara's plan. It was wrong, Clifford thought, because it would be interpreted as evidence of American discouragement with the war, as admission that the bombing of the North was both immoral and mistaken and as "the first step in our ultimate total disengagement from the conflict." Referring specifically to McNamara's recommendation that American forces in Vietnam be held at the level then authorized (525,000), Clifford said that such a freeze "would be interpreted to be exactly what it is, a

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resigned and discouraged effort to find a way out of a conflict for which we had lost our will and dedication." Accordingly, he strongly urged Johnson to reject McNamara's advice.

In testimony given by Clifford before the Senate Armed Services Committee on January 25, 1968, preparatory to his confirmation as secretary of defense the following week, he adjudged the American presence in Vietnam and the conduct of the war as successful, justified many times over in costs of men and money expended. He told the senators that if the US were not in Vietnam, it would be a matter not of years but of weeks and months "until Southeast Asia, nation by nation, succumbed," and that the reason this had not happened was "because we are there, and because we have extended this shield, and I believe we must continue to do it." He said that the United States had a limited objective in Vietnam: to assure the South Vietnamese people the right of self-determination "without their being forced by the subjugation from within, or by the application of force from without, to have another kind of life in their country." He also came out, in contrast to McNamara, against nuclear parity with the Soviet Union and strongly in favor of American nuclear supremacy.

But in March 1968—he took office on the first of the month—Clifford began to encounter, within the government, determined and well-informed opposition to the conduct of the war. The bulk, but by no means all, of this opposition was centered around the civilian hierarchy in the Department of Defense, the very people with whom Clifford would be working most closely. Clifford needed, and had, the confidence and respect of these people, but as Townsend Hoopes (then under secretary of the air force and one of the Pentagon dissenters) has written, they also needed Clifford as "the only remaining hope for restoring some sense of proportion to our national position at home and abroad."

Hoopes credits Clifford with being the instrumental force in persuading President Johnson to reject the Wheeler-Westmoreland request for 206,000 additional men in Vietnam (at an estimated cost of $10 billion for the next year) and for instituting the limitation on bombing North Vietnam to areas below the 20th parallel. Other advisors outside government, the "wise men" as they were called, also had second thoughts. But as Hoopes wrote: "Clifford played a preeminent—and I believe the decisive—role. He was the single most powerful and effective catalyst of change. . . ."

Three points concerning the decision on the war announced by President Johnson on March 31, 1968, when he also took himself out of the running for reelection, need to be mentioned. Johnson, in his memoirs, credits Rusk rather than Clifford with developing the formula on limiting the area of North Vietnam subject to bombing. The formula *was* Rusk's, but the essential point made by Hoopes and others is that it was Clifford's "conversion" and his persuasion—partly in opposition to a total bombing halt proposed by Arthur Goldberg—that was decisive; Rusk did not work for his plan with the vigor that Clifford displayed.

Secondly, the effect of events cannot be ignored in accounting for Johnson's demarche. The magnitude of the Wheeler-Westmoreland troop request had to lead to some reappraisal. Equally if not more important was the impact on government and on the public of the dramatic Tet Offensive, which began the day after Clifford was confirmed by the Senate as secretary of defense. Between January 31 and March 1, many previously accepted assumptions about the progress of the war had been exposed as faulty or, at best, were shown to require reexamination. Finally, what Clifford urged and what occurred at the end of March was neither withdrawal nor a complete cessation of the bombing in the North, although as a result of negotiations getting underway, bombing ceased on November 1, 1968. While Johnson did deny the Wheeler-Westmoreland request and restricted the bombing, he approved an additional 13,500 men for Vietnam.

Had Clifford changed his views about the war or did he act more in deference to the entreaties of his staff than out of personal conviction? Townsend Hoopes asserts that it was about March 16 that Clifford became firmly convinced that American policy in Vietnam was indefensible. But in a speech before the Associated Press in April 1968 Clifford posed the rhetorical question of whether the US could ever win in Vietnam or disengage with honor. His response: "My first answer is that I believe deeply in the necessity for our presence in Vietnam. We are assisting that brave and beleaguered nation to fight aggression, under the SEATO Treaty—and for the same reasons that we extended our aid to Greece and Turkey over 20 years ago." He concluded by saying: "I suggest that many present critics someday will applaud our stand in Southeast Asia."

In the autumn, however, Clifford began to be much more guarded. When asked, for example, if the cost in American lives was worth the effort, he responded not for himself but as a spokesman for Johnson: "I know that the President feels that the sacrifices made in Vietnam constitute a very worthy one." And on October 31, when the complete termination of bombing in North Vietnam was announced by Johnson, Clifford told the press that he had strongly urged the President to make this move toward peace.

We come now to Clifford's celebrated article in the July 1969 issue of *Foreign Affairs*. In what he called "A Viet Nam Reappraisal" he set down the evolution of his thinking. He had, he said, arrived at his original position as a result of his experiences with Presidents Truman, Eisenhower and Kennedy as well as President Johnson. He cited Kennedy as saying, in 1961, that

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the United States would not withdraw from Vietnam or Southeast Asia. But "withdraw" as used then by Kennedy surely meant from an area of US interest and not, as in the late 1960s, the removal of a half-million military. Clifford's point was that Kennedy, too, was imbued with notions of falling dominoes. While probably true, these notions did not translate for Kennedy into the necessity for a war conducted and fought by American combat forces in Vietnam.

Clifford said that it was in March 1968 that he became "convinced that the military course we were pursuing was not only endless but hopeless." "Henceforth," he wrote, "I was also convinced, our primary goal should be to level off our involvement, and to work toward gradual disengagement." The essence of Clifford's proposal was that the United States should withdraw approximately 100,000 troops by the end of 1969 and all combat forces by the end of 1970. President Nixon when queried about Clifford's suggestion said that he hoped to do even better.

One can accept at face value that Clifford had changed his mind and be glad. Arguments that the scale of military activity would "only continue to devastate the countryside and to prolong the suffering of the Vietnamese people of every political persuasion"; that the South Vietnamese had to assume "the major responsibility for their own defense"; and that "our pressing domestic problems" required attention which preoccupation with Vietnam exacerbated were all plausible and, of course, had been advanced by others much earlier. But to argue for troop reductions and their eventual elimination on the basis that "our military commanders have stated flatly since last summer that no additional American troops are needed" is to stretch a point very far. It also raises the question of what Clifford would have recommended if the military did not agree or, worse, called for more American forces.

Equally puzzling, in rationale as well as substance, was Clifford's view of the likelihood of survival of the Saigon regime. "Arguments will be made," he wrote, "that such a withdrawal [as he proposed] will cause the collapse of the Saigon government and jeopardize the security of our own and allied troops. Identical arguments, however, were urged against the decision to restrict the bombing on March 31 of last year and to stop it completely on October 31. They have proven to be unfounded." Now such arguments had been advanced against the bombing and they *were* unfounded, but the relationship of these arguments to the distinctly probable collapse of the Thieu-Ky government after US withdrawal is difficult to grasp.

As additional justification for his proposed withdrawal of American combat forces, Clifford set forth the somewhat surprising thesis that nothing else the United States might do could be of such benefit to South Vietnam or so increase its political maturity. Central to his revised thesis was the proposition that the United States had largely accomplished its objective in Vietnam. But that proposition could only be defended by redefining the objective, by restricting it to the prevention of South Vietnam's "subjugation by the North and to enable the people of South Viet Nam to determine their own future." Nothing further was said about "subjugation from within." One can argue that the aim should be so restricted—or limited much more—but there is nothing to suggest that either President Johnson or President Nixon came to so regard it, and only the President can declare a victory and bring the boys home.

Nevertheless, Clifford's article generated considerable stir and, as mentioned, led Nixon to suggest that he might better Clifford's timetable. By the end of April 1970 Nixon had withdrawn 115,000 troops (over 400,000 remained). Then, however, he dramatically ordered American forces into Cambodia, which prompted Clifford to make his next major statement on Vietnam. Writing in the May 22, 1970 issue of *Life*, Clifford set forth three points that went beyond his earlier suggestions. First, he proposed that US forces cease all combat activity by the end of the year and that all US military personnel be out of Indochina by the end of 1971. His only proviso was that all arrangements be completed for the return of US prisoners of war. Second, that all B-52 raids, search-and-destroy activities, and all other offensive operations be ended during disengagement, except as necessary for protection of US personnel. Finally, that the United States be prepared to negotiate a more rapid withdrawal in the event of a cease-fire or other arrangement, and if military pressures on Laos and Cambodia ceased. The first point seemed less subject to interpretation or qualification than the other two. Together, however, they were a prescription for complete military disengagement from Indochina. They were not implemented. In fact, as the last forces under Clifford's timetable would have been leaving Vietnam, Nixon reinstituted intensified bombing of North Vietnam.

In his earlier article, Clifford had been judicious in his language, even when discussing the political leadership of South Vietnam with which he was clearly exasperated; he adopted a much more emphatic style in the *Life* article. He did not disguise his impatience with those (Nixon, Laird, Rogers) who, in his view, could not or would not come to terms with the political realities of Southeast Asia.

Clifford had a program to sell; he felt passionately about it: the Cambodian intervention was the exact opposite of the way out. Yet one is surprised at some of the arguments he put forth, not because they were wrong but because they were precise rebuttals to explicit positions he had articulated earlier, especially in his testimony before the Senate Armed Services Committee. Thus US national security and national interests did not demand American military presence

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in Vietnam; the domino theory was unsound; the war was a local war "arising out of the particular political conditions existing in Southeast Asia" and had nothing to do with Communist aggression; the war couldn't be won militarily and we should "cease trying to do so"; its costs were excessive and not warranted by the results; and the possibility of a "bloodbath" following US withdrawal was greatly exaggerated and, as Clifford said, "difficult to understand." The magnitude of the reversal was dramatic.

Clifford's most recent suggestion for withdrawal came last June. Addressing a coalition of organizations assembled in the capital to lobby against the war, he proposed the complete pull-out of US forces from Southeast Asia and a halt to all military activities by the end of the year; and in return, the release of all prisoners of war within 30 days of an agreement and assurances from Hanoi and the National Liberation Front that departing American forces would not be attacked. This was very similar to the Hatfield-McGovern resolution scheduled for vote on June 16, but its newsworthy feature was that Clifford said he had reason to believe his plan would be acceptable to the other side. The Nixon administration promptly denounced the proposal, and Clifford's assurance of its acceptability. Yet on July 1, the NLF announced a seven-point peace program that came close to meeting Clifford's, except that it demanded that the US cease it support of the Thieu regime. It called for an exchange of prisoners concurrent with American withdrawal to be accomplished in 1971.

What in the final analysis can we say about Clifford's role? Certainly, as evidenced by his reversal on Vietnam, he could be called flexible; from another perspective he could be called inconsistent. But either judgment runs into the difficulty of explaining away his remarkable consistency on what he regards as the wisdom and success of the Truman doctrine and containment. While finally rejecting the rationale of Communist aggression in Vietnam, he at no time has been shown to recognize that American military intervention there was the logical, if not inextricable, outcome of the practice of containment since its origin—in part owing to Clifford—in 1947. His most recently expressed ideas on the subject come closest to making that connection. In another profile by Patrick Anderson, published last August in *The New York Times Magazine*, Clifford is quoted as saying that "part of our problem in the early 1960s was that we were looking at Southeast Asia with the same attitudes with which we had viewed Europe in the late 1940s, and we were therefore misevaluating what was taking place there. The world had changed but our thinking had not, at least not as much as it should have."

The world had indeed changed and would continue to change. But Clifford prefaced this observation by saying that during his days in the Truman administration he "saw that the only hope of the free world was the power of the United States. I think the Truman Doctrine, the Marshall Plan and NATO saved the free world. I think that was one of the proudest periods in our history." That remains his view despite what must be regarded—in its own ambiguous terms—as the failure of containment in Cuba, Indochina, and, most importantly, China. Containment is still presumed to have staved off Soviet military aggression in Greece in 1947, despite evidence that Stalin far from masterminding the Greek uprising actually opposed it.

It is entirely consistent that one of Clifford's early acts upon becoming secretary of defense was to urge the resumption of heavy military assistance to Greece. He met criticism by asserting: "The obligations imposed on us by the NATO alliance are far more important than the kind of government they have in Greece or what we think of it." In what amounts to a comment on the philosophy behind NATO and containment, he added: "If our military aid to our allies was determined by the kind of government they maintain at the moment, then NATO would disintegrate." Clifford's strong support for development and deployment of the Sentinel anti-ballistic missile system when he was defense secretary, support which, as *The New York Times* put it, "was more emphatic than that of his predecessor, Robert S. McNamara," is also best understood in terms of containment, with its predilection for the status quo, for anti-revolutionary and anti-Communist regimes and for military solutions which, in turn, tend to the establishment of military objectives. It is far from clear even today that Clifford really sees—beyond Vietnam—where these assumptions are most likely to lead.

The position finally arrived at on Vietnam and the arguments he advanced to support it had been evident to countless others, inside and outside government, years earlier. His tardy conversion and his singular focus on Indochina raise the possibility that he finally succumbed to the impracticality of the American military adventure in Vietnam, but with all his other preconceptions intact.

Clifford is reported to be highly intelligent, charming and persuasive. He has amassed a fund of government experience at the highest levels. He has been shown to be completely loyal to those he has served. He has also been endowed with more than usual luck or an uncanny sense of timing. James Reston, while noting that Clifford is not a far-sighted man, observed: "He seems to have a genius for emerging at the critical moment." He has had the wisdom of hindsight.

The most important question one would want answered were Clifford to be called again to high government service in the area of foreign affairs is whether he is able and willing to reexamine seriously—and discard if necessary—his assumptions about containment and its suitability as a guideline for American foreign policy in the '70s.

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Neither Mao nor Chiang

Who Owns Taiwan?

by Michael Reisman

The United States acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is a part of China. The United States Government does not challenge that position. It reaffirms its interest in a peaceful settlement of the Taiwan question by the Chinese themselves. With this prospect in mind, it affirms the ultimate objective of the withdrawal of all US forces and military installations from Taiwan. In the meantime, it will progressively reduce its forces and military installations on Taiwan as the tension in the area diminishes—

Nixon-Chou-En-lai communique of February 27, 1972

Henry Kissinger allowed us a quick glimpse of our new policy on Taiwan in December 1971: "The ultimate disposition, the ultimate relationship of Taiwan to the People's Republic of China should be settled by direct negotiations between Taiwan and the People's Republic of China." The President reaffirmed this position in his State of the World message of February 9, 1972: "The ultimate relationship between Taiwan and the mainland is not a matter for the United States to decide. A peaceful resolution of this problem by the parties would do much to reduce tension in the Far East. We are not, however, urging either party to follow any particular course."

Since the "parties" to which Mr. Nixon refers are a nuclear power of about 800 million people in one corner and an island-state of 15 million in the other, his magnanimous promise of neutrality approaches Anatole France's classic characterization of the majestic equality of the law, forbidding the rich as well as the poor to sleep under bridges. Moreover, Mr. Nixon entertains no doubts about the outcome of this "peaceful resolution": "We recognize that this process cannot help but be painful for our old friend on Taiwan, the Republic of China." But might it not be painful also for 13 million Taiwanese, 87 percent of the population of the island-state, whose opinion, indeed whose existence, is blandly ignored?

In addition to ignoring their aspirations for political community, the new policy also controverts history. For an examination of the diplomatic and legal record will show that China—Maoist or Chiangist—has a very doubtful legal claim to the island-state which lies 110 miles from the China coast.

Chinese began to migrate to Taiwan in substantial numbers in the 16th century, and within two centuries a distinctive Taiwanese identity had developed. In 1683, the Ch'ing Dynasty of China annexed Formosa by decree, but it is doubtful if China established a degree of effective and continuous *control* sufficient to transform its verbal claim into an international title. Significantly, the Ch'ing government, in the early 1870s, informed Japan that Formosa was "outside its jurisdiction"; hence China could not be held responsible for what Formosans had done to Japanese nationals on the island.

Under international law, sovereignty because of "historic rights" or "occupation" involves more than a self-serving statement of ownership. The additional requirement is effective occupation; in the language of the landmark *Clipperton Island* case, "to exercise exclusive authority there." It is possible that China had no intention of annexing and effectively governing Formosa; that its decree aimed only at establishing a principle of regional hegemony or "Mandate of Heaven." Some confirmation for this view can be found in a statement Mao Tse-tung made to Edgar Snow in the 1930s, when he distinguished Formosa and Korea from the "lost territories of China" and promised to aid Koreans and Formosans in their struggle for independence. Whatever interpretation is put on Chinese failure to establish continuous, effective control in Taiwan, a claim to title from this period of history does not stand.

In 1887, the Ch'ing government declared Taiwan a province of China, but eight years later, having lost the Sino-Japanese war, China ceded Formosa to Japan in the Treaty of Shimonoseki of 1895. The cession does not seem to have grieved the Chinese. Li Hung-chang, Viceroy of the Ch'ing government and the man re-

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sponsible for negotiating the Treaty wrote: "(T)his land of the Brown Robbers [Taiwan] was a vile spot, in which no man . . . would ever care to live . . . It may not be known generally, but as early as 1873, when complaints came to Tientsin from British traders, I earnestly memorialized the Throne to offer Taiwan to the English Government to do with the wretched island as they saw fit." While Taiwan was under Japanese control, neither the Chinese government nor the Communists expressed any longing for it.

Then, when World War II broke out, China denounced the Treaty of Shimonoseki—a unilateral act of dubious legal effect. At China's behest, the three Allied Powers affirmed in the Cairo Declaration of 1943 and reaffirmed at Potsdam, a desire "to restore Formosa and the Pescadores to China." Declarations such as these cannot of course, legally dispose of the territory of another state. Additionally, the legal effect of an unratified declaration, particularly a wartime declaration, is controversial, but there is no controversy over the supercession of such a declaration by a full-fledged peace treaty. In case of conflict, the treaty prevails. Hence the importance of the 1951 Japanese Peace Treaty, in which Japan renounced "all rights, title and claim" over Formosa. But the treaty did not state to whom Taiwan was to be delivered. An examination of the preparatory records shows that this was not an oversight, but was a matter to be decided at a later date. As the British delegate to the Peace Conference put it, "In due course a solution must be found, in accord with the purposes and principles of the Charter of the United Nations." There were some conflicting statements before the signing of the Treaty. President Truman, for example, spoke of Chiang's "authority" in Taiwan. It was an ambiguous term in the context, and Truman subsequently adopted the position in the Peace Treaty.

A Chinese title, under international law, cannot be deduced from the presence of the Chiang Kai-shek exile government on Taiwan. When the Japanese surrendered to the Allies in 1945, General MacArthur authorized the Nationalist Chinese authorities to undertake temporarily military occupation of the island as a trustee on behalf of the Allied powers. Four years later, Chiang and the remnants of the Nationalist Chinese government fled to Taiwan and purported to establish a "Free China." But despite Chiang's grandiloquent claims, the United States did not recognize any Chinese sovereignty over Taiwan, even when it was US policy to support Chiang as a fictitious China. Thus the record of the Senate's ratification of the 1954 Mutual Defense Treaty between the US and Nationalist China contains the reservation that ". . . nothing in the present treaty shall be construed as affecting or modifying the legal status or the sovereignty of the territories referred to in Article VI (*i.e.* Formosa and the Pescadores)." Secretary of State Dulles, a champion of Chiang and a respected international lawyer, stated that ". . . technical sovereignty over Formosa and the Pescadores has never been settled . . . Therefore the juridical status of these islands, Formosa and the Pescadores, is different from the juridical status of the offshore islands (Quemoy and Matsu) which have always been Chinese territory." On April 28, 1971, a State Department spokesman stated that, "In our view sovereignty over Taiwan and the Pescadores is an unsettled question subject to future international resolution." The same point has been made annually by the British delegation to the United Nations and by President Pompidou of France. In deference to this legal situation, the Canadian and Italian governments and in recent months a host of other members of the United Nations have done no more than "take note" of Peking's claim over Taiwan when they recognized the People's Republic of China.

China—Maoist or Chiangist—may have other claims to Taiwan. It may, for example, argue that the 13 million Taiwanese are really Chinese and hence subject to Chinese sovereignty. This raises questions of fact and law. The factual question can only be answered by the Taiwanese who, not inexplicably, seem to insist that they are Taiwanese. From a legal standpoint, there is no contemporary doctrine of racial suzerainty, no theory which allows self-selected leaders of a "race" to claim and enforce the allegiance of their overseas ethnics and to claim the territory on which their kinsmen happen to live. Aside from the fact that a theory of racial suzerainty would run counter to the doctrines of self-determination in international law, it would be quite pernicious in a world in which all races are widely dispersed.

China might also argue for a doctrine of "third world imperialism": European empires are to be dismantled, but third world empires of the past (real or fanciful) are to be reconstructed, in a selectively mystical type of self-determination. Sukarno's *Mahapajit* Empire, for example, was to include Malaya and the Philippines, whatever Malays and Filipinos might have thought of it. Comparable sentiments have been attributed to Premier Chou En-lai in the press of late. Yet the international principles and resolutions condemning colonialism are quite clear; no Third World exceptions have been written in. There is, of course, the nonlegal argument of expedience. But if France, Italy, Canada and many other states have been able to establish links with Peking without breaking international law, one would expect the US could.

Under present international law, Chinese claims to Taiwan—Nationalist or Communist—have scant basis. The most tenable claim is that of the Taiwanese who already comprise a vigorous but subjected state, currently misnamed "the Republic of China."

The government that sits atop the Taiwanese is Kuomintangist and continues to claim China. The magnitude of the Nationalist Chinese threat to China

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seems minuscule from here, but it may loom large in Peking. Despite the surface tranquility so characteristic of totalitarian regimes, the Communist elite will feel extremely uncomfortable as long as an alternative focus for the loyalties of the masses waits and broadcasts from 110 miles off the coast. And with tensions on the Russian border, the possibility of a two-front engagement takes on greater strategic gravity. It may have been a canard, but the recent report in the Austrian press of Soviet negotiations for a base on the Pescadores is more than plausible geopolitics. In short, Peking does have a case. In the interests of its own security, China can insist on a change in Taiwan's Kuomintang political myth and possibly guarantees of neutrality. But in the name of security, China cannot legally claim Taiwan and the Taiwanese. Nor can a joint communique signed by two political leaders foreclose this issue. An international agreement of this magnitude must conform to international law. Abrogating, as it does, prior treaties and raising such fundamental policy questions, must it not secure senatorial advice and consent? Until the Taiwanese have been given the chance to speak for themselves, international policy would do well to follow the terse advice on the placard of a Taiwanese student outside the United Nations. His sign read: "Mao Stay Out! Chiang Get Out!"

The Paradox of Prison Reform—I

The "Dangerous Myth"

by Robert Martinson

The moment prisons were established they were found wanting, and their history is the story of unceasing attempts to improve them, apparently to no avail. The 19th and 20th century movements for prison reform have been as contradictory as the prison. Today, about 80 percent of reported crime is committed by repeaters.

When one asks what "prison reform" means, five traditions are discernable: 1) Prisons are for punishing offenders. (I will refer to these conservatives as the "hard-liners.") 2) Prisons are vicious instruments of revenge and should be abolished immediately. (I label this position "populist.") 3) Prisons are necessary to defend civilization but they should be improved to make them less punitive and more humane. (This is the mainstream tradition of the 19th and 20th century "humanitarian reform.") 4) Prisons should be transformed into effective instruments for the rehabilitation of offenders. (This is "correctional treatment.") 5) Prisons are necessary to some stages of civilization but can be replaced by milder forms of control to the degree permitted by democratic crime prevention. (The "social planning" view.)

Modern corrections has become an Alice-in-Wonderland in which representatives of all these views are found, intermixed in wondrous combinations. Recent events—Attica, the murderous conditions in the prison farms of Arkansas, the announcement by Governor Reagan of the closing of San Quentin prison, the proclamation of a Bill of Rights for prisoners—indicate ferment and growing crisis. In what follows, I hope to document the disintegration of "correctional treatment" (number 4) in the hope of laying the basis for "social planning" (number 5).

Let us use the 1952-53 worldwide cycle of prison riots as a convenient benchmark. In the wake of those disturbances, John Bartlow Martin, a crime reporter with a gift for plain-talking, wrote a little book, *Break Down the Walls*, in which he denounced the "professional people" for having devised a dangerous myth—"myth because it is not true that prison can rehabilitate [treat] men, dangerous because their pretense that it can leads them to loose dangerous men upon society." He continued: "Rehabilitation [I prefer the term correctional treatment] in prison today is a pie-in-the-sky idea. . . . [We] appear to believe that if we provide the stainless-steel kitchen, the schools and shops and toilets, one day rehabilitation will descend upon the inmate, like manna. And it is not only wardens and penologists who believe this; it is inmates as well."

Mr. Martin wrote his critique at a watershed in American penology. He looked back upon a century of reform supported by uplift societies, trade union locals, ladies' clubs, probation lobbies and political groups from Populist to Socialist. The achievements

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were visible and uninterrupted: probation; parole; the juvenile court; prison classification systems, separate facilities for juveniles and females; abolition of the whip, the ball-and-chain, the striped clothes, bread-and-water (except as a punishment), and hard labor; the diagnostic clinic; a single state department of corrections; and civil service protections for guards. All that was in the past.

As the 20th century grew older, new professional groups in probation, parole, social welfare and psychiatry (in alliance with humanitarian reformers) began to introduce into prisons the chaplain, the teacher, the vocational instructor, the counsellor, the psychiatrist and the nonpolitical warden. The prison turnkey became professionalized as the correctional officer, and began to form trade unions. "Custody" and "treatment" jockeyed for power.

Sometimes treatment staff became unofficial spokesmen for prison rioters. They successfully convinced inmate leaders that disturbances should be moderate and limited to the improvement of treatment services or the inauguration of treatment programs. At this point, Mr. Martin introduced the inside-dopester realism of the tough crime reporter. It was indicative of his hard-liner vein that he looked over the disciplines studying the "causes of crime"—biology, sociology, psychiatry—and opted for the most reactionary fad of his epoch, the biological-psychiatric notion of the "psychopathic personality [which] seems to lie at or close to the center of the whole problem of criminality." Mr. Martin believed that the psychopath dominated inmate leadership and helped produce the riots whose history he had written.

"The prison system makes no sense," he concluded. "Prisons have failed as deterrents to crime [and] as rehabilitative institutions." Well then, why not reform them? "The prison cannot be reformed" he answered. . . . It must be done away with." But how could an institution found so felicitous by our forefathers (and copied throughout the world) have become a "monster error [which] has nullified every good work?" How could an institution—prison—set up to protect society have become the "enemy of society" when it had been so improved for a century? Would further improvement make it worse?

Mr. Martin was adamant: "The truth is that a rehabilitation [correctional treatment] 'program' in today's prison is utter nonsense. Prison is a place to keep people locked up. It never can be more." This "utter nonsense" was to become the crowning wisdom of "corrections" in the decades that followed. The '50s and '60s were to become the high point of the Age of Treatment. The myth of correctional treatment was co-opted by prison officials and enshrined in the Manual of Correctional Standards.

The new alliance between the professional people and the prison administrators was most firmly established in California after World War II. In 1943, Governor Earl Warren began reforms which changed the state's prison system from one of the most backward and crisis-ridden to one which gradually gained the reputation throughout the world as a model of correctional practice. The Warren reforms followed two decades of prison scandals. Relying on an informed and aroused public opinion, the governor appointed a treatment-oriented administrator, Mr. Richard McGee. New prisons (minimum and medium security) were built. Professionals were hired to man the diagnostic clinics and probation and parole were expanded. Prison record jackets bulged with new information about the inmate. Centralized control was combined with efficient classification. Individual wardens lost independence as central office staff monitored operations, transferred inmates, and lobbied directly with the governor and legislature.

For the first time, an entire prison system was permeated with the "dangerous myth" of corrections. Group counselling was introduced *en masse*, even in facilities as security-ridden as San Quentin and Folsom. Middle management was trained in group treatment techniques and custodial ranks were indoctrinated with the new perspective which came to be called the "correctional therepeutic community." New units called "Adjustment Centers" were built within the prisons, based on the principle of the indeterminate sentence and combining maximum security with individual treatment. A maximum security medical facility was opened at Vacaville. An outstanding research division was given wide powers to help plan experimental programs and evaluate their effects.

The progress of acturial research made it possible to assign every California inmate a "base expectancy score" to predict his likelihood of returning to crime. "Good risk" inmates were released early from confinement and the savings used to underwrite the ten-year Special Intensive Parole Unit studies. Efficient classification made possible rapid transfer of inmates from one part of the far-flung system to another (called "bus therapy" by the insiders). An Army barracks in San Luis Obispo was turned into a minimum-security old men's home. Parole out-patient services were provided, and addicts were given the newly developed Nalline test four times a month (with one surprise visit) by state-hired doctors. Finally—to symbolize the coalescence of correctional administration and scientific method—a newly built medium-security prison (California Men's Colony—East) was opened to inmates using a research design randomly assigning newcomers to various quads of the prison.

As a fledgling criminologist, I once questioned an older guard about the structure of his institution. "Structure?" he said ruefully, "structure is a dirty word around here." Prison officials get nervous when groups of inmates congregate, but in California the "large group" (about 50) was common. It was an un-

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forgettable experience to see these men dressed in blue, sitting in a large circle sipping coffee and quietly putting one of their number on the "hot seat." When I was put on the hot seat the session broke up with whoops of glee, since I confessed I didn't know whether group treatment reduced recidivism—a favorite topic.

These group bull-sessions did break down barriers. There were few riots and no prison scandals in California during these years. Inmate disturbances were channeled toward passive and nonviolent forms of action—work stoppages, peaceful demonstrations, concerted mass cell lockups. The sessions—often led by crusty old maintenance workers—were sometimes hilarious. Inmates would present dramatic renditions of what they imagined to be the deep Freudian causes of their present sad state. The sophisticated young counsellors called this "shucking." They agreed that they were involved in a form of professional "shucking" when they permitted the men to explain things in this sterotyped way. One professional justification was that this mutual shucking could produce a more verbal offender who, hopefully, would turn to less violent and impulsive crimes when released.

Group sessions were called "correctional treatment" and were taken seriously by anyone who wished to rise in the ranks. Middling budget requests were expected to be prefaced by justifications linking new programs to treatment theory. It is difficult to argue—in the face of all this—that treatment has never been given a chance to work.

Struggle for Justice, a recent report prepared for the American Friends Service Committee, notes a number of gross effects. "From 1959 to 1969 the median time served [in California] has risen from 24 to 36 months, the longest in the country." [Also] "the number of persons incarcerated per 100,000 has continued to rise, from 65 in 1944 to 145 in 1965." Should we listen to a self-interested argument which asserts that the average California offender (in a state with a large in-migration) became more criminalistic in these years and that without treatment the length of stay would have scored even higher?

Prison reformers denounced the *brutality* of the prison regime (which was true enough), but they saw this brutality as the major cause of persistence in crime. So they deliberately reformed the prisons—only to produce a worse result. Why? The distinguished American criminologist, Edwin Sutherland, taught that younger offenders learn the ways of crime through "association" with criminal patterns combined with isolation from law-abiding patterns. On this view, the prison—no matter how improved—can still be regarded as a "crime school." Recent theories have done little to deepen this insight. Most theories have this in common—they look for the "causes" of recidivism in changes ("stigmatization," for example) presumably wrought in the offender through his interaction with official agencies. But were the reformers on the wrong track all the time? Could it be that the prison regime *as such* (brutality, food, inmate subculture, etc.) has little or nothing to do with the causes of repeated criminality?

Suppose (in the absence of firm data) that recidivism rates over the last 150 years were not affected by changes in the prison regime, that instead they simply reflect the *interruption of normal occupational progress.* Imagine what damage a five-year prison sentence would have on the chances for employment of a 20 year old apprentice in 1800 as compared to a 20 year old semi-skilled worker today. In 1800, the young apprentice could go on to a productive life despite his disadvantage; the semi-skilled worker of today might well give up the struggle. On this view (which is frankly speculative), the early prisons were brutal but not criminogenic. The released offender was needed in an expanding economy. He could take up a new life and did not leave the prison bereft of the minimum requirements—a strong back and a pair of willing hands. The reformers reduced the brutality of the prison, but society changed in the meantime. A relatively brief prison sojourn today may be more criminogenic than a much longer and more brutal sojourn a century ago. (If the effect is strong enough, one would predict an *inverse* relationship between recidivism and prison reform).

The early prisons left physical and mental scars but did not inhibit the offender from productive work, marriage, family. Today, prisons produce invisible but ineffaceable damage however tenderly they treat the offender. To "make it" in the 1970s requires a more exacting sequence of moves—high school or college, marriage, first job, bank account, next job, and so forth. Let us say that interference with this sequence produces "life cycle damage." The damage is most intense (perhaps irreparable) at just the ages when crime peaks—from 15 to 25. One can now understand how the reformers could see a correlation between prison and further criminality and could come to the false conclusion that the highly visible prison *regime* was responsible. But the prison produces its paradoxical result—more recidivism as it is enriched and improved—not directly through anything it does or does not do to the offender, but simply by removing him from society.

On this view, society has outgrown the prison, and deprivation of liberty has come to be a self-defeating measure in a modern industrial economy. The myth of treatment is "dangerous" insofar as treatment systems—such as California's—which are based on the indefinite sentence, end up removing more and more offenders from society for longer and longer periods of time.

This is the first of four articles.

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Stanley Kauffmann on films

The Godfather
(Paramount)

What's Up, Doc?
(Warner Bros.)

Gumshoe
(Columbia)

Hurricane Marlon is sweeping the country, and I wish it were more than hot air. A tornado of praise—cover stories and huzzahs—blasts out the news that Brando is giving a marvelous performance as Don Corleone in *The Godfather*, the lapsed Great Actor has regained himself, and so on. As a Brando-watcher for almost 30 years, I'd like to agree.

But from his opening line, with his back toward us, Brando betrays that he hasn't even got the man's voice under control. (Listen to the word "first." Pure Brando, not Corleone.) Insecurity and assumption streak the job from then on. They have put padding in his cheeks and dirtied his teeth, he speaks hoarsely and moves stiffly, and these combined mechanics are hailed as great acting. I don't see how any gifted actor could have done *less* than Brando does here.

His resident power, his sheer innate force, has rarely seemed weaker. His gift of mental transformation, the conviction that the changes are interior and that the externals merely reflect them, is not nearly as strong here as in, say, *The Young Lions* or *Viva Zapata* or *On the Waterfront* or *Teahouse of the August Moon*. He is handicapped by poor makeup: his hair is not gray enough and his hairline ought to have been altered so that he doesn't constantly suggest Brando. But the real fault is his own: his laxness, sloth. He has become so lazy in recent years that he is willing to take intent for deed. Corleone has no moments of outburst—the Brando trademark, the leap of flame out of menacing quiet—so his dominance has to come from imagination; muscled by concentration. What Brando manufactures is surface—studied but easy effects.

A few moments ring true. When he hears of the death of his son, an ache starts deep in him and works to the surface through the fissures in the old man's emotional armor. But generally, as they say at the Actors Studio he used to frequent, he gives us mere indication. It's only the superficial contrast with the "standard" Brando that is making people gasp.

Compare Brando's performance with Jean Gabin in virtually the same role in a recent French film called *The Sicilian Clan*. What authority Gabin had, how the waters of the world parted before him. If it's argued that Gabin had a headstart by reason of age and temperament, that only proves my point: Brando is being praised because of the difference between him and this role, not because of his achievement in it. The magnificent talent that dozed off some years ago is not fully awakened yet.

Like star, like film. The keynote is inflation. Because the picture has so much of the commonplace, it escapes being called commonplace. In no important way is it any better than *The Brotherhood* (1968), on the same subject. (The word Mafia is never mentioned, but it doesn't need to be.) *The Godfather* was made from a big best-seller, a lot of money was spent on it, and it runs over three hours. Therefore it's significant.

We're getting the usual flood of comments that the Mafia is only mirror-image corporate capitalism. (All the killings in the film are said to be "business, not personal.") These high-school analogies ignore, among other things, the origins of the Mafia and its blood-bonds of loyalty, which have nothing to do with capitalism. Almost every one in *The Godfather* is either a murderer or an accessory, so its moral center depends on inner consistency and on implicit contrast with non-murdering citizens around it. As the picture winds on and on, episode after episode, its only real change is the Mafia's shift from "nice" gambling and prostitution to take on "dirty" narcotics. (Time, the late 1940s.) Well, I suppose everything's going to hell, even the morality of the Mafia, but the picture certainly takes a long, long time to get there.

Al Pacino, as Brando's heir, rattles around in a part too demanding for him. James Caan is OK as his older brother. The surprisingly rotten score by Nino Rota contains a quotation from "Manhattan Serenade" as a plane lands in Los Angeles. Francis Ford Coppola, the director and co-adapter (with Mario Puzo), has saved all his limited ingenuity for the shootings and stranglings, which are among the most vicious I can remember on film. The print of the picture showed to the New York press had very washed-out colors.

Two films derived from films.

Peter Bogdanovich has now made his third imitation. *Targets* was derived from Hollywood's prewar horror file. *The Last Picture Show* suggested the Southern sex-and-sweat film of the '50s and '60s. With *What's Up, Doc?*, he's back to the '30s for a screwball comedy. It's Bogdanovich's original story, with screenplay by Buck Henry, David Newman and Robert Benton, but it's really a quick trip through the archives.

There's an absent-minded professor hero and a madcap heroine who gets

(continued on page 34)

Films Worth Seeing

Bartleby. Two fine performances by Paul Scofield (employer) and John McEnery (Bartleby) in a sluggish English version of Melville's story.

Cabaret. A mordant musical based somewhat distantly on Isherwood's *Goodbye to Berlin*. Michael York splendidly shy as the hero, Liza Minnelli good but still Judy-Garlanded as Sally Bowles. Bob Fosse directed with incessant glitter. The intent was to be touching and politically sharp. Result: bric-a-Brecht.

The French Connection. Sappy but zappy. A thorough thriller, about drugs in Marseilles and Brooklyn. Gene Hackman heads a heads-up cast.

The Hospital. George C. Scott blasts off in a wobbly but often bright Paddy Chayefsky script about a middle-aged New York doctor and his young doxy.

The Last Picture Show. In Texas, 1951, a youth comes of age. Familiar? Quite. But much of it well acted and decently directed.

Tokyo Story. A gentle masterpiece by Yasujiro Ozu, about parents and children and the passage of one's life. If any of these subjects happens to interest you, insist that a local manager book it—from New Yorker Films.

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Crawford Woods on television

ITV and other English Matters

ITV—the Independent Television service in the United Kingdom—might be not unfairly described as a chance to see "American" television in England. It is sometimes a desert as arid as our own. To take advantage of that chance, with the BBC a button-push away, is to prefer Al Capp to Corregio. But millions do—about half the audience here. And the similarities to American commercial television mask some interesting differences.

In the first place, the ITA—Independent Television Authority—oversees fifteen contributing program companies, a plurality which effectively decentralizes the operation. It chooses the companies and controls and transmits their output, but, like the Public Television Service in America, it does not produce programs of its own. And, like the BBC, it is ultimately answerable to Parliament for the way it uses the power given it by the Television Act of 1964.

Independent Television has no share in the license fees collected by the BBC (though a viewer who never watches BBC still has to pay a license fee to have a television). It depends on advertising alone for all revenues, and it's rather more fettered than American networks in the quantity of selling time permitted. Six minutes an hour, averaged over the day, is the maximum. If memory serves, you can sometimes see almost that much in a quarter-hour in the States. More important, there is no sponsorship; advertisers buy time on ITV as they buy space in newspapers. They have nothing to do with program production.

So the ground rules are encouraging. And a glance through *TV Times*—ITV's indescribably trashy-looking weekly magazine—is pleasant: there are Westerns, quiz shows, and soap operas, but other things as well. An occasional presentable travelogue looms in prime time, a documentary on Nelson—with meticulous model fleets sailing through dry-ice mist—a public affairs presentation, all very dutiful. There are also a few palatable serials, like the hugely popular "A Family At War," which just ended, to a public dismay so vocal that the final segment is being reshown the week I write.

Yes, but in the end this *is* Lowest Common Denominator TV, as exemplified by two shows in particular of the dozen I made myself sit through. One is of a genus mercifully now rare in America—the amateur hour, hugely entertaining in its utter void of wit. The other is a game show called "The Golden Shot."

In "The Golden Shot" a caller-in gets a blindfolded guest (visiting police officers are popular) to shoot a crossbow bolt at a metal apple hung on a picture from Greek or Western (as in wild) mythology, winning a shot—the golden shot—at a thread whose breaking might net him a hundred pounds. Something like that.

The amateur hour—"Opportunity Knocks"—is staggering. The night I saw it it produced a six-year-old drummer; a torch singer who was introduced by identical twins; a soft-rock comedy team doing a number from *South Pacific*; a folksinger of the one-chord, two-note sort; a tap dancer; and a massed band of pre-teen accordion players. All strove to make points on the applause-o-meter so they could come back next week and do it over again. Between acts the MC tried to get viewers to sign up for a go-to-Australia-for-Easter contest.

But the shows were not nearly as entertaining as the commercials, which may have come six minutes to the hour only because the human mind couldn't cope with greater frequency. Most were incredibly primitive and all seemed to be about chocolates, except for my favorite, a demonstration of some margarine that wouldn't clog up your heart because it could be used to oil the flywheel of a watch.

Q.E.D. America has better TV commercials than England. A poor thing, but our own.

Of course this is incomplete. Two shows, perhaps even twenty, are not ITV. But of those I saw, few were better than dull, and none remarkable. The government recently decided against letting ITV have a second channel. A week's watching will tell you why.

During the coal crisis and the Nixon China tour, the BBC news service first justified and then transcended its insular tone (ITV is often superior to BBC—that is, more worldly in its news programming). Its current affairs shows as well as the newscasts themselves went deeply into the strike's origins, and it was gratifying to be so in touch, though pundits faded more than once in mid-sentence as power cuts took them off the air. Coverage of the President's trip was both impressively thorough and largely lacking in the often amused tone of the major dailies.

March brought the close of an interesting documentary series, "The Space Between Words," a five-part study of various communications gaps, co-produced by the BBC and San Francisco public television station KCET (so American viewers may expect to see it).

Then there was a new drama series called "The Regiment," a study of the British Army at the time of the Boer War. All the grand clichés are intact within its unfolding, but turned to glory by a literate script, highly-tuned acting, and sets authentic down to the last cut-glass port decanter.

But the most notable news from the Corporation in the last six weeks has been on the printed page: two documents, one an official report and the other very much a renegade, an anonymous spew of gripes from BBC personnel themselves.

The official report, *Violence on Television*, was a priceless exercise in jamming thought with jargon, but not uninteresting. In a detailed analysis of over 1500 episodes of 72 programs, it found that more than half the violence occurs in the daily news, and that American drama imports have roughly twice the violence of the native product. Monitors found that 96 percent of all fictional programs were "justified" in their violent episodes, and that 80 percent of violent encounters were shown as "wound-free and blood-free," leading to the bizarre observation that violent death was almost twice as likely to be painless as painful. (In a related observation, most viewers polled discounted all violence that was not what they considered "real"—*i.e.*, contemporary and graphic.)

All of which tends to excuse as inevitable the report's inability to arrive at any meaningful conclusion. And on the

Coming:

Arthur Schlesinger, Jr. reconsiders *The Promise of American Life.*

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chance that a moment sometimes shows more than a monument, be it noted that this viewer, after weeks of immersion in English television and hence inoculation against our own, was watching a play one night, a dull thing, but his stomach turned over when at the climax one character pushed a dart through another's palm, drawing a jet of blood. It was an instant far more awful than any brought about by the lakes of gore spattering our own receivers.

The underground paper, pleasantly entitled *SHIT: Talking Heads*, ground its axe more vividly. The paper is the intermittent unofficial house organ of the disaffected within the Corporation. They have a view of the BBC's output that seems savage indeed to one just aligning his admiration of it. Much of the paper deals with internal problems—promotion restrictions, job upgradings—and much energy is expended on a workers-unite plea whose justice is hard to judge from outside. But it concludes on a note that echoes the activity of guerrilla television in America and suggests a new vision of the nature of the medium.

Demythologize the media, is the cry: take off the crisp-talking experts and turn on more common speech, loosen up the timeslots that bar free access and limit dialogue, treat program announcements more as a tentative forecast than an inflexible grid, muzzle Malcolm Muggeridge and let the yippies yip. And everybody else as well. Every man his own editor.

SHIT brands quality control as the villain. The obsessive emphasis on clean edits, clear focus, split-second timing, the exclusive concern with how the picture looks instead of what the program's saying. There is merit in the argument, but the battle plan is forlorn. The BBC is no more likely to surrender its clockwork operation than NBC/ABC/CBS are to open their doors to the Video Freex. Yet this funky, lively view of television is perhaps one hope of making it fit for human consumption in America, or the UK.

NOTES ON CONTRIBUTORS

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Texas Sex

All My Friends Are Going to Be Strangers by Larry McMurtry

(Simon & Schuster; $7.50)

The Last Picture Show by Larry McMurtry was a novel—and then a movie—about adolescents in a small Texas town growing up to sexual awareness and competence. Then there was *Hud*, of which I know only the movie, and that dimly, but believe to be about Texas and slightly older sex. Cometh next *Moving On*, an 800-page opus that was much more literary—it mixes rodeos and grad school and had at its center a literary couple who read everything from Chaucer to Gary Snyder—but the novel still focused primarily on the couple's bedroom victories and defeats (80 percent in Texas). Now we have the current novel, *All My Friends Are Going to Be Strangers*, which begins and ends in Texas, and gives us a young writer, extremely accomplished sexually, who can't find, or at least keep, the right woman. On McMurtry's tombstone will perhaps be writ, All about Sex in Tex.

I read *The Last Picture Show* after seeing the movie, and was struck by how much more sex the novel seemed to be lugging around than the movie. Not that the movie was backward—it gave us the nude scene in the swimming pool and a thorough rundown of the novel's various amours—but it had something else going for it too, something the novel constantly suggests but does not effectively exhibit: the barrenness of the Texas land and the lives it harbors. In the movie the bare dust-filled streets with the crude storefronts and the tumbleweeds blowing through become a sort of model of the average Texas soul; it is as if humanity had run up against the Last Judgment, been judged and then left to ride around in cars in a windy emptiness. The novel has the wind blowing too, but the souls and their society remain relatively immune to it; the atmosphere is not like limbo but like the Main Street atmosphere of small towns in many an American novel, with the result that McMurtry's sexual emphasis is not tempered with the brooding fatalism that made the movie striking. Instead the author seems to be saying largely that life is good when sex is good, with the Texas landscape not a significant determinant in human affairs.

Something of the same can be said, I think, of *Moving On*, though in its literariness it is perhaps the exception in the canon, and now of the new volume, *All My Friends*. The latter focuses almost exclusively on sex for the first few chapters, then dwindles for a long stretch into life and literature, as if even McMurtry had grown fatigued by coition, but finally returns determinedly but tragically to the sexual theme when the hero Danny Deck, having discovered that the girl with "the clearest eyes, the straightest look, the most honest face" of *all* the girls won't—or maybe the word is can't—have him, decides to commit suicide. In other words, if you can't have Sex in Tex, go jump in the Rio Grande. (Oddly Danny Deck's suicide is mentioned at the end of *Moving On*. McMurtry is partly recycling his characters after Faulkner in Yoknapatawpha County.)

If *All My Friends* is made into a movie, perhaps again a shift in the story's focus will occur, which would be for the best. The story has many good characters; McMurtry comments wittily on the contemporary writing scene; and he displays a masterly ease in handling narrative and dialogue. But he has been told by his muse or his bank of the positive virtues of sexual activism, so that much that he says about the meagerness of Texas small-town life—or, in the middle of the novel, about the meagerness of the artisty life in California—is undercut by his obsession. When conversational, social, intellectual, spiritual emptiness and vapidity can be cancelled out by hopping into bed, then the "quality of life," to use the faddish phrase, in Texas or California doesn't matter much; one need hardly bother write about it.

Yet McMurtry does catch some of the quality of that life, those lives, despite his obsession, and if he were Sinclair

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Lewis or Hamlin Garland rather than Texas's Henry Miller a reader would come away astonished by what his poor beaten-down characters have been driven to in their various crummy refuges from the American dream. They never speak or think beyond their immediate experience. They seem never to have heard of governments, war, values, progress, god. With the exception of a drunken English sociologist who likes to talk big and literary (and thereby to discredit the big and literary), the range is from orgasms to Uncle L's goats. The talk about goats is comic, and so are Uncle L's manhole covers and camels (it seems that he collects these), but even such diversions, which indicate that McMurtry clearly felt the need for diversion, don't get us out of the small-talk small-scene small-soul rut that Texas seems to have dug for its people. They are just there in the dust, the wind, the tenements and the car back seats, living their unilluminated existential privacies. Only the bad guys philosophize or try to cope with society and its customs, bad guys such as the two Texas rangers near the end of *All My Friends*, who take the novel's hero Danny Deck for a fairy because he has long hair, and proceed to generalize dirtily about fairies before tossing him over a fence onto a cactus. The same was true in *The Last Picture Show*, where the exceedingly stupid basketball coach plays philosopher on occasion. McMurtry himself is obviously loath to cope with the ideological, the conventional, the un-individual. He must have learned at school that all that is for academics. On the rare occasions when he departs from the immediate physical scene, he strives to make the larger entity he is describing *look* small and like a physical being anyway, as in this pleasant picture of the city of Houston as a woman:

> Her mists were always a little sexy. I felt, in leaving her, the kind of fond gentleness you're supposed to feel after passion. It was the kind of gentleness I never got to feel with Sally. Its expression might be stroking a shoulder, or something. I had had such good of Houston, she had dealt so generously with me, always, that I walked and stroked her shoulder for an hour or two, in the night. Then, when she was really sleeping, I went home. I wanted to be gone when she woke up.

How far, though, can a novelist go as an observer of his society if he hangs in there thinking of a city as a woman? Constantly we are treated in the novel to fine but ephemeral insights, then taken back to bed. One gets the feeling that if the Bomb were dropped on Washington these people wouldn't hear of it, nor would McMurtry care that they didn't hear of it.

Of course it may be I who am in the minority in imagining that many American lives do contain, or should or could contain, more than McMurtry finds in his land of oil derricks, pool halls and Mexican whore houses. Maybe what he has found there is in fact our country's still center. Certainly many American artists, trudging along in their own individual ways in the footsteps of D. H. Lawrence, would think this; they would commit themselves wholly to the holinesses of the elemental private life, discarding the rest. But McMurtry's commitments are not that clear; in the first place he does not come at sex, as did Lawrence, as a holiness, but is instead matter-of-factly physical about it; and in the second place his social consciousness—or whatever that larger awareness is that I have tried to describe that makes for what some still think to be civilization—is unquestionably present and at work in him. He is not a primitive by inclination or god's order; he is only driven into mimicking a primitivist ethic by the current demand that a novel be sex and by the apparently very real absence of alternative pleasures and pastimes in his homeland (and in the Californian writer-culture that succeeded it for him). In other words there seems to be a sort of negative rationale at work in the man at the moment making him the novelist he is. And he is so good at being the novelist he is that it may be ungrateful of me to wish he would discover some new country; but I do.

That he now lives near Washington, DC, may not be the answer to my wish, for Washington possesses real merits of its own as a wasteland. Yet Washington might in the long run help a bit, if only by putting *The Washington Post* on his morning doorstep. His difficulty reminds me ironically of D. H. Lawrence's complaint in 1929 that the Word of God had become unclean below the navel. Lawrence concluded that this was "idiotic and humiliating. Whoever the God was that made us, He made us complete. He didn't stop at the navel and leave the rest to the devil. It is too childish. And the same with the Word which is God. If the Word is God—which in the sense of the human it is—then you can't suddenly say that all the words which belong below the navel are obscene. The word arse is as much god as the word face. It must be so, otherwise you cut off your god at the waist."—Fine words, but now the word of God *is* below the navel. We are still cutting off god at the waist perhaps, but now many of our writers, in the McMurtry spirit, throw away the upper half.

Reed Whittemore

Blots on the Record?

Hugo Black: The Alabama Years by Virginia Van der Veer Hamilton

(Louisiana State University Press; $10.95)

It is indeed fitting that we have this book, the first to be devoted to its subject's pre-Supreme Court career, less than a year after Justice Hugo Black's career ended. No previous book has shed much light on Black's career before he was appointed to the Supreme Court. This one gives a full-scale account of his career in Alabama and the US Senate, and contains a good deal of information to stir the minds of people who have wondered how Hugo Black, that self-described "backward country fellow," became the intellectual leader of an institution that will probably be known as the Warren Court rather than the Black Court. What Mrs. Hamilton has given us is a political biography, not

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an intellectual one. It may well be that the nature of Hugo Black was more devoted to action than it was to ideas. One can count easily on the fingers of one hand the ideas that run through his opinions: the Firstness of the First Amendment, a literal interpretation of the provisions of the Bill of Rights, an expansive interpretation of governmental power over the economy, a hostility to the use of the Due Process Clause to enact anyone's ideas of the Good, the True, and the Beautiful, and an uncompromising literalism in the reading not merely of the Constitution but also of statutes.

This listing of Black's fundamental ideas marks for me the great power of his mind, rather than the breadth of his ideas. The tenacity and the skill with which Black pushed those ideas on his brethren account for why I consider Black to have been the greatest Justice of the Supreme Court during his years on the bench. During his early years on the bench his only matches were Felix Frankfurter and Robert Jackson. During his later years his only match was John Harlan.

One can best appreciate Black's career on the Supreme Court only when one has been able to consider the details of his political life before his appointment. For that, I consider Mrs. Hamilton's book to be an indispensable tool. She describes fully the details of Black's involvement with the Ku Klux Klan. No one can now doubt that Klan support in the 1926 election was indispensable to Black.

During the 1928 presidential campaign, Black's support for Al Smith was very equivocal. The influence of the Klan had waned considerably since his election in 1926. He did not, however, wish to alienate his Klan backers. Unlike his colleague, Senator Tom Heflin, Black did not bolt the Democratic party but at no time publicly supported Al Smith. Heflin apparently thought that his populism, his anti-Catholic views, and his pro-Prohibition views would insulate him from retribution in the next election. In the 1930 primary, Heflin discovered how wrong he had been. The conservative forces in the state supported John Bankhead in his effort to unseat Tom Heflin. The executive committee of the state Democratic committee passed a resolution barring any candidate who had in November 1928 publicly opposed the election of any Democratic candidate.

This resolution was an immediate test of Black's political sagacity. He spoke out against the resolution, that is, in favor of Heflin. Black privately told one of the lawyers for Heflin that he hoped the supreme court of Alabama would declare the resolution invalid. The court decided that it had no jurisdiction over such intra-party squabbles. Heflin ran in November as an independent Jeffersonian Democrat. "As in the 1928 election, Black shrewdly remained silent." Bankhead, who had easily won the Democratic primary, defeated Heflin equally easily.

That was not the end of Tom Heflin. He asked the Senate to investigate the election that he had just lost. George Norris successfully offered a resolution authorizing the investigation, but Black continually opposed this effort, and unwaveringly supported Bankhead through a series of maneuvers that ended in a vote (of 65-18) to reject Heflin's challenge.

By his initial opposition to the state committee's "loyalty" resolution, Black held on to his former friends. By his support after the election for Bankhead and the principle of party regularity (which he had originally opposed), Black won the support of the conservative elements in the state. It was not until the 1932 election that Black was forced to consider whether his conservative move had hurt him politically. He just barely failed to win a majority of the votes in the first primary. In the run-off election he easily won renomination over a candidate who represented a mixture of Heflin supporters and of a few economic royalists who thought that Black was unreliable. "By cautious, intricate maneuvering, Hugo Black had successfully navigated the political shoals upon which 'Tom-Tom' Heflin had wrecked his senatorial career."

Freed of the incubus of his anti-black, anti-Catholic, and Prohibition supporters, Black was now free to give his support to a president who was in favor of the economic measures that Black's populist instincts made him favor. FDR soon found Senator Black to be a most useful man. Aside from his early sponsorship of what eventually became the Fair Labor Standards Act of 1938, FDR found Black's investigative talents very much to his taste. Mrs. Hamilton does not spare her protagonist when she discusses the details of the air mail investigation and the Public Utility Act investigations. Here Hugo Black appears to many people to have been at his worst. In a kind of prelude to the Communist witch hunts of the McCarthy era, Black pressed forward with his investigations regardless of the spirit of the Fourth Amendment's ban on unreasonable searches and seizures. His notorious seizure of Western Union's files was opposed by the Liberty League and the anti-Roosevelt press. Only Walter Lippmann and the ACLU among "liberals" spoke out against what Black was doing.

I find the details of Black's investigations, as recounted by Mrs. Hamilton, to be a serious blot on his record. I suppose that it was in those days that Black hardened his attitudes on the Fourth Amendment; I had not realized until I read this book how astutely Black converted his fight for the Public Utility Company Holding Act's "death sentence" provision into an attack on lobbying. After reading this book, I should like to ask uncritical admirers of Black's record as a legislator how they reconcile his liberalism with his consistent opposition to claims that the Fourth Amendment was being violated.

Herbert L. Packer

Poem to Old Friends Who Have Never Met

When I'm not wishing I could find a
unicorn
I wish all my old friends knew each
other
The very least they deserve
is the pleasure of each other's company
We'd go down by the river
and the rocks would hum
with this rich collection of men &
women
They would look around and see themselves
no longer isolated
no longer points in the darkness
pointing nowhere
but as links in a magnificent chain of
impossible flowers
girdling the world, and their talk
(they are all talkers)
would burst like spray in the sunlight

and I would smile, saying nothing
with a bottle of beer in my hand
and a small white bird banging in my
heart

PETER MEINKE

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In Brief

The Conspiracy by John Hersey

(Knopf; $6.95)

The Conspiracy is John Hersey's first novel in five years, and it may be his most distinguished in more than twenty. It is set forth in the form of letters between the poets Lucan and Seneca, and selections from the files of secret police at the time of a conspiracy against the Emperor Nero. Why a serious novelist should suddenly turn to the ancient world for an appropriate context for his thoughts is perhaps answered here by Hersey's Seneca who asserts more than once that the duty of the writer is to *avoid frenzy*. Hersey does, and thereby illuminates the present from the vantage point of a thoroughly "cool" past. There is no feeling of pretense, of learning paraded, nor the false note that frequently clings to fictions elaborately distanced. The reader comes to know not only the characters but a questing intelligence not ashamed to think about philosophy, and to pose large unfashionable questions. Perhaps the chief question is the writer's question posed at the novel's end. Seneca, under house arrest and sentenced to suicide, writes this in a farewell to his nephew: "What is the responsibility of a writer? Be consoled, Lucan. You have done your duty as a writer as best you could, which was to be true to your gifts. The responsibility of a writer is to write. What more can be said?"

Summer Situations by Ann Birstein

(Coward, McCann & Geoghegan; $5.95)

This is the sort of thing Ann Birstein does well, and she does it often, easily, deftly. In "Love in the Dunes," the first of the three novellas, Shirley Kane, a faculty wife (that sitting duck) is plotting an escapade of summer madness, a fling with her husband's colleague, while her husband explores the possibilities with his colleague's wife—a Cape Cod, square version of *la ronde*. Her husband must be defined as an academic cuckold, and so he is: he glances up from an old copy of *Partisan Review* "frowning reflectively as if he had just read that the plight of the intellectual was even worse than he thought." A matter of simple justice: whatever such a dull dog gets, he deserves, but Shirley gets hers too.

In the cleverly-titled second novella, "How I Spent My Summer Vacation," the 13-year-old son of the husband's previous marriage (again an academic couple), guided by sinister inner radar, adroitly mines and detonates the current marriage. Ms. Birstein dexterously maps all the stress-points, indeed spots them before they become visible, and then traces the lines of erosion as they spread.

"When the Wind Blew," the third novella, is set in Paris in 1952. The mini-heroine is a Fulbright scholar allegedly working on a thesis about post-war expatriate American Writers. Since that is not her true purpose the fact that there aren't any is no particular hindrance; her head full of Tolstoy, Eliot and James, her heart of *Weltschmerz*, she mostly wants to *be:* ah, to be young, pink, fuzzy, sort of in love, in Paris, Jewish, on a Fulbright. The viper appears in the form of her old college lady-professor—a depressingly erudite, hissingly satanic German refugee, a specialist in the history and ideology of totalitarianism (a possible prototype, as the author cannot fail to know, springs instantly to mind)—and shortly carries off the girl's lover—to (what else?) a meeting in Germany of the Congress for Cultural Freedom.

All this Ms. Birstein does extraordinarily well. She is clever, funny, bitchy, witty, astringent, unillusioned, full of low cunning, a rat with women, murder on men, a sucker for (some) kids, an incorrigible kibbitzer. The range is small, but she works the changes to a nicety.

A Woman of Feeling by Violet Weingarten

(Knopf; $5.95)

Violet Weingarten's latest novel, *A Woman of Feeling*, is bound to be one of many novels appearing authored by women, with a woman as protagonist and concerned with woman's "condition" and "place" as she attempts to fit herself into today's society. The heroine of Ms. Weingarten's novel is Jo, a middle-aged "liberal" whose liberal claim-to-fame is having been called before the House Un-American Activities Committee for being a member of a Marxist study group while in college. Allusions are made to this experience throughout, with frequent references to "the Committee," although the nature of the charge and a detailed account are saved until the end.

This thread of her younger life is woven in with present interest in and concern for her children's activities. Maggie, Jo's married daughter who has a two-year-old son, wants to adopt a Negro baby, but then becomes pregnant (which spoils her socially-conscious plan, but really lets her husband off the hook). Son Peter, a teacher dropout, is being sought by the FBI in connection with a bombing which allegedly involved his girlfriend; he goes underground instead of clearing himself. Meanwhile Jo continues to attend the local peace rallies: "It was the least she could do," she said. She really believed in them, too, but she also wanted to be able to tell her children that she had been.

This novel is not deep and its references will soon be dated, yet there is a real sense for the ironies and dilemmas involved in being a liberal and well-educated woman (and mother) of the upper-middle class: "I'm always torn. . . . Sometimes I feel as if I'm drowning in *things* [emphasis added]. I'd like to get rid of everything I have. . . . But then I see something I like, and I find myself thinking why not, I'll be dead soon enough, what difference does it make?"

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Correspondence

Busing

Sirs:
As a white, middle-class parent of four children in Berkeley's integrated schools, I join with Senator Mondale (see March 4 issue) in his support of busing. . . . If our children could not be bused to school with their black schoolmates, I would protest, for without integration Berkeley's white children—not only the black—would certainly be culturally deprived.

Barbara B. Erickson
Berkeley, California

Sirs:
Perhaps I can provide a perception somewhat different from TRB's (see March 4 issue) and Senator Mondale's, of why school busing has become the gut political issue of 1972. The most publicized catalytic agent has been the Merhige decision in Virginia, one which is heavy with ideology and no respecter of political boundaries. It goes far beyond Swann in seeking an extension of the word "reasonable" to what is in fact most unreasonable. If the Merhige ruling is allowed to stand, nothing is safe from the excesses of such irresponsible judges whose children are safely in private schools.

Closer to home for me, in nearby Prince Georges County, Maryland, the Department of HEW is attempting to force busing. Several colleagues of mine live there, and would find their children being bused to schools that they consider unsafe, should the HEW have its way. Their perception is that such a situation would be unacceptable, so Republican Congressman Lawrence Hogan (who has opposed HEW's actions from the beginning) has a lot of new friends.

Finally, I chose the location of my present house with substantial knowledge of the nature of the school, which is two blocks away. I am pleased with the education my children are receiving there, and will not sacrifice them for anyone. I have no intention of supporting any candidate for political office who may advocate that they be untimely ripped from the school they now attend, and I feel that threat exists in the person of such as George McGovern, John Lindsay and Edmund Muskie. For me, this issue outweighs all others, and I will act accordingly, even if it means supporting someone I otherwise dislike. If Nixon is reelected, those committed to the cause of "racial balance" at any price will still be able to wrap themselves in a mantle of righteousness. Having lost their shirts, that's about all they'll have left.

Stephen J. Meyers
Rockville, Md.

Foreign Broadcast

Sirs:
As an admirer of the quality of your editorials and original research, I was disappointed with your March 4 "Enlightening the Natives," advocating that Radio Free Europe and Radio Liberty be shut down.

First, you imply that, since Radio Free Europe (RFE) and Radio Liberty (RL) are subsidized by US government funds, they could not be more "independent" than the Voice of America. The VOA broadcasts official views but does not broadcast views of the domestic affairs of the countries to which they are talking. (Radio Free Europe not only talks about events in Poland, but gives extensive information on sports, agricultural developments and cultural events in the West as they relate to Poland.)

Second, the editorial says the purpose of the stations is "not merely to give the news, but to encourage, perhaps to incite, change inside Communist countries." Of course it encourages change. Isn't that the object of a liberal foreign policy? The stations give facts, alternative information people can use. American liberals long have been pointing to the fact that there is a Sino-Soviet split, but it was Radio Free Europe that first made extensive broadcasts on these differences in 1962 and helped give Romania and other countries more room in which to maneuver in the schism.

Third, the editorial says, "If the Bulgarians, why not the Spaniards and the South Africans and the Brazilians," etc.? Since it is not fashionable in liberal circles to be disturbed over Soviet hegemony, it at least ought to be recognized that the last two world wars began in this area and it remains in a highly unstable equilibrium. Let's face it: the fate of the Brazilian indians, however unjust, has not yet become a serious challenge to the survival of the West.

Fourth, your editorial says, "... as a matter of national policy, we doubt the efficacy of the attitude that *we* know what's good for *them*." The radios aren't operating under that assumption. Rather they operate on the assumption that the more information people have, the better they can decide how they want to run their lives. Your editorial implies that RFE broadcasts to people whether they like or not: it is their government that may not like it, but surveys show the broadcasts are widely received among the people in Eastern Europe and that Radio Liberty is a crucial support to liberal elements in the Soviet Union who hunger for a substitute free press.

Fifth, your editorial says the money ought to be used for American broadcasts instead. You should know such an either-or argument isn't necessary.

Hap Cawood
Dayton, Ohio

Girls and Boys

Sirs:
I read Barbara Harrison's report on the Woodward School ("Feminist Experiment in Education," March 11), and I must say that I am concerned about those children. How does a boy feel when he is told every day that men have kept down half the human race? How does a girl feel when she is encouraged to think that every slight, every teasing joke is a way of keeping her inferior? I confess that I am deaf to much of feminist pleading. My background assures it. My grandfathers were near serfs on large estates in their homeland. They and their brothers all bore different names, each the name of his master. They came to this country, married, worked in the mines and died there. Not the exalted death of heroes, but ordinary accidental deaths of men trapped underground.

My father could have made a better living in town had he worked in the mine as his father had, but my mother would not allow it, and since there was no other way of making a livelihood, he cut out a farm from the virgin timberland of Wisconsin. All six of us children attended a one-room country school for eight years. For five years, I had a man teacher, university trained, dedicated

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to teaching bilingual children the basics of English grammar, literature, math, European and American history, geography, government, and because his major interest had been biology, a good solid course in human physiology. Since there were only twenty-one pupils, girls and boys joined in all games—baseball, football and ice hockey. We skied and skated together; we swam in the same spring-fed mudhole. We did have separate toilets, but no one "peeked." What we didn't know about sex could not be learned from watching each other going to the outhouse.

I could fight, shoot, and fish as well as the boys. One of my brothers could cook and sew as well as I; my oldest brother could do neither. I could saw and hammer and build, but one of my brothers had no interest in these, nor did my sister. For the most part, we had equal training, and yet by the time I was thirteen and my brother who loved to cook and sew, fifteen, I weighed 90 pounds and he 140. There were things he could do that I could not; he could lift me; I could not budge him. I could squeeze into the smallest of crannies; he could not. But we had no time to care; there was too much to do and too much to ponder.

Each one of us, girls and boys, left home as soon as we graduated from the town high school, and worked our way through the university. I left home in 1938 with three dollars in my pocket, a Kresge's suitcase in one hand and a bag of sandwiches in the other. I hitched a ride to Milwaukee, four hundred miles away, found a job as a maid, saved my money and went on to school.

And still I see only good in a sweet smelling house, in well-cooked meals, in clean clothes, in tender love between mother and child, between man and wife, in sickness, in health. Love is not a burden; giving isn't slavery, nor is the home simply a place to hang one's clothes. It should be a shelter, a quiet place where one can rest; it should not be a battleground for equal rights. I do not need to say how badly women have been treated in order to be proud to be a woman. Men too have been cruelly treated but that should not be the source of their pride. I cannot think unkindly of my mother whose life was the home and her children, and when we left, the children of others. Nor do I frown upon my father who worked diligently that all of us might live a life easier than his had been; nor upon my husband who worked long hours in order that I could stay home in the early years of our child's life.

I believe the greatest damage we can do to our girl children is to insist on their female uniqueness and to insist that all the world's a sexist stage. Let us respect their brains; let us teach them math, physics, chemistry, biology, art, music, law, history, literature and languages. Let us train their minds, teach them to be fair and honest, and let us then trust that they can manage their private lives.

Life is always daily whatever one does. Every job has its drudgery and its reward. I look back upon the change of seasons, the birth of animals, the closeness of animal mother to animal child, the nudgings, the loves, the bloom of wild flowers, the harvest, the smell of dust from the open earth, the flocks of migrating birds, the cold fall skies, the rosy sunsets, and the endless work which prepared me for life. I remember the cold, the hunger, the loneliness of my student years. It was daily, it was difficult. It was beautiful at times, miserable and ugly at others, but I managed to survive and become useful.

For many years, I worked with children who, for one reason cr another were unable to learn the basic skills in the ordinary classroom. Was I authoritarian? Assuredly. Kindly, steadfastly, and persistently authoritarian in matters of learning. If I could not prove to the child that learning is a good in itself, who could? We had no time for self-indulgence and sentimental pity. Did the children like it? I really don't know, but they did learn and we were friends. What they would make of their acquired skills would be theirs to decide.

Ruth Engelmann
DeKalb, Illinois

Men and Women

Sirs:

Your February 19 issue has an article entitled "Where Are They Now." After reading it, I felt vaguely uneasy, but couldn't pin down the reason. Going back to it several weeks later I am now able to identify my uneasiness. The article demonstrates what seems to be a political fact of life—that the "hard core of (a) campaign organization" is composed only of men. It is only when you go "outside this inner circle" that you find several women.

In 1968 I was on McCarthy's national staff and was willing to fill the role given to me. My perspective has changed over the past four years. Like many other women I could never again work in a campaign where the women do the work behind the scenes and the men are in front making the decisions—occasionally patting the women on the head. . . . Women will no longer tolerate chauvinism of the past. If you check around a little more, I am sure that you will find that we are no longer looking for men to lead us.

Sue Hestor
San Francisco

City Pies

Sirs:

There are a number of historical inaccuracies in Francis Fox Piven's "Cutting Up the City Pie" (Feb. 5). A key contention of her's is that urban political leaders have withheld "services, symbols and benefits that might have won the allegiance of blacks," in contrast to the earlier granting of same to previous white immigrant groups. The implication is that urban leaders, because of racism (theirs or their constituents), have not responded to black immigrants as readily as they did to white European immigrants. This, however, is not the case. In New York City, urban leaders have always been slow to respond to "new" immigration, regardless of color, since their political constituency is necessarily those who are settled inhabitants. The Irish, for example, got crumbs from the "city pie" until the 1850s, when they were more than 28 percent of the population of New York; not until 1855 did an Irishman get a nomination to public office (and even then, only to the city council). Most of the New York Irish lived in abject poverty at that time, and Tammany Hall gave them little more

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than a bag of coal for Christmas. By contrast, the post-World War II Negro migration to New York City (about 21 percent of the population, according to the 1970 census) has obtained numerous appointive and elective offices at high levels, not to mention vast outlays in municipal services which did not even exist at the time of the Irish influx.

Ms. Piven also indicates that such large municipal services as education were at one time available as patronage to bosses, who dispensed jobs to placate the demands of newcomers. Again, her history is confused. Teachers' jobs *were* available as patronage until 1896, because New York's schools (which until then were community-controlled) did not have any kind of merit system; however, teaching jobs *did not go to newcomers*, but to Irish and Germans and other by-then native Americans who had been in the city for two or more generations. New York's Jews, whose period of major immigration was from the late 1880s until about 1915, did not enter the school system in large numbers until the Depression decade, and only then by passing a rigorous competitive examination, not by favor of bosses.

On a question of interpretation rather than fact, I would strenuously disagree with Ms. Piven's pitting urban blacks against "producer groups," especially the unions, because there are significant numbers of blacks who are already members of the producer groups; their proportion will continue to increase in the next decade. In Chicago, for instance, close to 40 percent of the teachers' union is black; in Detroit, the figure is 40 percent. New York has far fewer black teachers proportionately (about 10 percent), but the proportion will rise because the number of black graduates from City University is increasing.

These same producer groups represent a ladder out of poverty for the urban poor; gains made on behalf of teachers, firemen, policemen, civil service workers, bus drivers, etc., will redound to the benefit of upwardly mobile blacks and Puerto Ricans. To say that their interests conflict is to suggest that urban blacks and Puerto Ricans should be considered a permanent underclass, as though they were incapable of improving their lot. In fact, their upward progress has been at least as rapid in New York City as that of any previous immigrant group.

Diane Ravitch
New York City

Kauffmann, *from page 26*

him away from his stuffy fiancee. There's a mix-up with four identical suitcases, hotel detectives, crooks, a bathtub-and-underwear sequence, and a prolonged auto chase including the fresh-asphalt bit, the stepladder bit, and the two men with the sheet of plate-glass. And there's the climactic courtroom scene in which the whole mix-up is synopsized and recapitulated for its effect on a long-suffering judge.

So Bogdanovich tries to have it two ways. For those who don't know the comedies of Howard Hawks, Gregory LaCava, etc., it may—just possibly—seem fresh. For initiates, it's a series of "in" jokes—beginning with the deliberately corny opening, in which the credits are presented on the turning pages of a huge book.

It's all rather like a 19th-century imitation of Elizabethan blank-verse drama. Apart from differences in talent, the trouble is anachronism. I couldn't believe that *our* age produced this film; this decade's gaiety such as it is, is less physical, for one thing. I laughed occasionally—some of the lines are formula-funny. (Even though they have dredged up the world's oldest auto joke. When she's driving, he says excitedly: "This is a one-way street." She says: "I'm only going one way.") But I didn't laugh at anything that *happened*—and this in a fast-moving farce.

Partly this is because the film doesn't have any '30s stars. Ryan O'Neal is not Cary Grant, he's a somewhat livelier Tab Hunter. Barbra Streisand is not Jean Arthur or Rosalind Russell. When Streisand chases a man, my heart goes out to the fugitive. And her idea of farce-acting is vulgar stridency. She's a pro (especially as singer), which O'Neal is not, but to me, an unattractive one. Millions, I know, think otherwise.

Where will Bogdanovich strike next? Which archive shelf? The Western? The thriller? The zombie flick? In a very few years he has established himself as our leading mocking-bird—with a considerable gift for imitation. His career seems assured. The one thing we don't have to fear from him is originality.

I much preferred an English film called *Gumshoe* with Albert Finney as a Liverpool night-club MC who out of boredom adopts a Bogart-like persona and lifestyle. He gets involved in a complex (never quite cleared-up) plot about narcotics and murder, and behaves himself with aplomb. One point that bothers me in most thrillers, even good ones like *The Thirty-nine Steps*, is that the "civilian" hero finds himself in desperate situations for the first time and behaves as if he had been coping with them all his life. In this picture Finney is looking for adventure and has a movie-made character to support him in his tight scrapes.

Some of the Liverpudlian accent is a bit thick for Yank ears, but the script by Neville Smith is generally bright without bothering to be sensible, and Stephen Frears directs to suit. Finney himself remains a compelling actor of quiet beefy charm.

Personals

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Summer Schools

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Employment Opportunities

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"HOW TO GET OVERSEAS JOBS" World-wide-enlightening information lists hiring organizations. 253 pages $2.98 refundable. Stadryn, Whitestone, N.Y. 11357.

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Property—Sale/Rent

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Vacations/Travel

CAMPERS! ROUGH IT (GENTLY), Savor peaceful wooded island, unspoiled lake, Eastern Ontario. Cottages, $50. Duane Barnes, Rt 1, Tavares, Florida.

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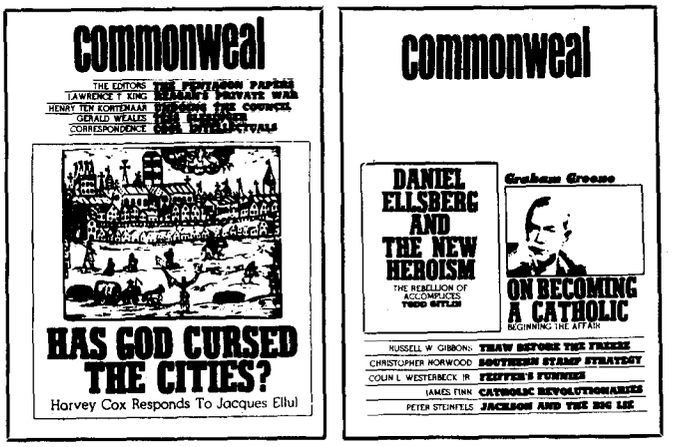

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Then, too, there are the beauties of a Bruckner symphony. The Sistine Chapel. Our great national parks.

There's much on television to share with your children in the months ahead, as can be seen from the more complete listing that follows.

Primary Elections. Coverage from Wisconsin (April 4); Pennsylvania (April 25); Alabama, Indiana, Ohio, District of Columbia (May 2); Tennessee (May 4); North Carolina (May 6); Nebraska, West Virginia (May 9); Maryland (May 16); Oregon (May 23).

Music of the Resurrection. Easter music sung by Sistine Chapel Choir, filmed in Sistine Chapel. Sunday, April 2 (1:30-2 pm).

Dig. Animated musical explaining earth's formation. Saturday, April 8 (12-12:26 pm).

Academy Awards. 44th annual Oscar Awards. Monday, April 10 (10 pm-conclusion).

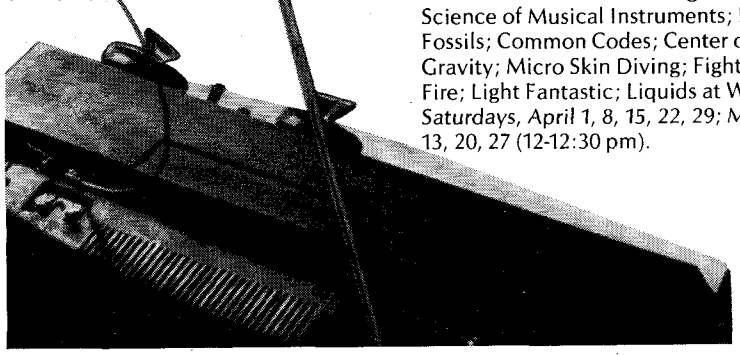
From Yellowstone to Tomorrow. Salute to national park system. Tuesday, April 11 (8:30-9:30 pm).

Apollo 16. Blast-off at 12:51 pm. Sunday, April 16.

In Search of the Lost World. Exploration of ruins in Mexico, Peru, Central and North America. Monday, April 17 (8-9 pm).

It Takes a Lot of Love. The devotion between animal fanciers and pets. Wednesday, April 19 (8-9 pm).

Tony Awards. 26th annual presentation of theatre awards. Sunday, April 23 (9-11 pm).



Church Architecture in the U.S. Who Do You Think You Are? presents uniquely American churches. Monday, April 24 (8-8:30 pm).

Surrender at Appomattox. Appointment With Destiny—Meeting of Grant and Lee. Monday, April 24 (8-9 pm).

Amnesty. ABC News Inquiry—Pros and cons of amnesty for deserters. Monday, April 24 (8:30-9 pm).

Jack Paar's African Diary. Paar's four months in Tanzania and Kenya. Tuesday, April 25 (8:30-9:30 pm).

Life, Death and the American Woman. Diseases that most menace women. Thursday, April 27 (10-11 pm).

Metropolitan Opera Salute to Sir Rudolf Bing. Starring famed Met artists. Sunday, April 30 (9:30-10:30 pm).

The Price. Hallmark Hall of Fame—Award-winning production with George C. Scott, Colleen Dewhurst, David Burns, Barry Sullivan. Wednesday, May 3 (8:30-10 pm).

The Masks We Wear. Who Do You Think You Are? looks at human behavior. Monday, May 8 (8-8:30 pm).

New York Philharmonic Young People's Concert. Bruckner's Third Symphony, conducted by Dean Dixon. Sunday, May 14 (4:30-5:30 pm).

Emmy Awards. Annual honors for television excellence. Sunday, May 14 (10 pm-conclusion).

The Forgotten Mermaids. Undersea World of Jacques Cousteau—Study of the manatee. Monday, May 15 (8-9 pm).

Secrets of the African Baobab. Nature study of wildlife-protecting tree. Tuesday, May 16 (8:30-9:30 pm).

The Itinerary. Documentary on Israeli author Elie Wiesel. Sunday, May 21 (4-5 pm).

Oceans. ABC News Inquiry—Report on deterioration of world's oceans. Monday, May 29 (8-9 pm).

REGULARLY FOR YOUNG VIEWERS

Curiosity Shop. Play; Laughter; Mind; Measuring; Music and Dance; Memory. Saturdays, April 1, 8, 15, 22, 29; May 6 (11 am-12 Noon).

Mr. Wizard. On and Off Magnetism; Science of Musical Instruments; Living Fossils; Common Codes; Center of Gravity; Micro Skin Diving; Fighting Fire; Light Fantastic; Liquids at Work. Saturdays, April 1, 8, 15, 22, 29; May 6, 13, 20, 27 (12-12:30 pm).

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You Are There. Galileo and his Universe; Vision of Dr. Koch; Treason of Benedict Arnold; Record Ride for the Pony Express; Torment of Joan of Arc. Saturdays, April 8, 15, 22, 29; May 6 (12:30-1 pm).

REGULARLY SCHEDULED PROGRAMS

Monday through Friday: Sunrise Semester/The Today Show/Captain Kangaroo (Starting April 3, HEW presents 3½-min. animated segments on health)/Watch Your Child—The Me Too Show/Sesame Street/Misterogers' Neighborhood/The Electric Company

Thursday: CBS Reports (appearing every fourth week)

Friday: Chronolog I & II (appearing fourth Friday each month)

Saturday: Pop-Up/In the News/Dr. Dolittle/Barrier Reef/Lidsville/Take a Giant Step/Curiosity Shop/Mr. Wizard/You Are There/CBS Children's Film Festival

Sunday: Lamp Unto My Feet/Look Up And Live/The Reluctant Dragon and Mr. Toad/Camera Three/Bullwinkle/Make A Wish/Face the Nation/Meet the Press/Issues and Answers/Kid Talk/Comment/60 Minutes/The Wonderful World of Disney

Note: This is, necessarily, a partial listing. Time (NYT), titles and casts of these national programs are subject to change. Please consult your station listings; check also for noteworthy local programs.

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